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The Death and Life of America's Cities

Fred Siegel

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The Forgotten T.R.

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SPECIAL BOOKS ISSUE:

Nathan Glazer, James Q. Wilson, Adam Wolfson, Isabel V. Sawhill, Lawrence M. Mead, Ken I. Kersch, and *Eli Lehrer*

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The death and life of America's cities

FRED SIEGEL

IN the wake of the events of September 11, American cities are basking in the reflected glory of New York and its courageous mayor, Rudolph Giuliani. Giuliani's ascent to the status of a national hero, "America's mayor," has eclipsed not only his own accomplishments but the mixed if hopeful condition of big-city America.

America's larger cities are on the upswing after a wave of reformist mayors in the 1990s. Even before the economic boom of that decade took hold, Cleveland's mayor Mike White, Chicago's Richard Daley, Milwaukee's John Norquist, Indianapolis's Steve Goldsmith, Denver's Wellington Webb, and Philadelphia's Ed Rendell had begun to turn their cities around. While the federal government was locked in a decade of trench warfare, reform currents flowed through city halls. Innovations in school, welfare, and crime policy all had a local address. When George Bush described himself as a "compassionate conservative" during the 2000 presidential campaign, he was following in the path of Los Angeles's highly effective

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Republican mayor, Richard Riordan, who called himself "a bleeding heart conservative." Bush's rival, Al Gore, wrapped himself in the success of Democratic mayors such as Daley, Webb, and Detroit's Dennis Archer.

But for all the accomplishments associated with these men, most cities will need several more successful administrations to repair the damage done over the past 40 years. For the revival to be sustained, it must transform the big cities' dysfunctional political culture. The danger, in the words of a world-weary veteran of Philadelphia politics, is that "Rendell improved things here just enough to make it safe to go back to the policies that produced the problems in the first place."

Unlike the crusading mayors of the Progressive era, none of these recent reformers were part of a broad social movement to institutionalize reform. Thus few of the reformers groomed successors. The new-wave chief executives who left office in Philadelphia, Los Angeles, Jersey City, and Cleveland have been replaced by back-to-business-as-usual mayors, though in the first two cities reform currents haven't been entirely stilled. Reform continues in Indianapolis and to a lesser extent in New York while the situation in Detroit is ambiguous.

Big-city revival

Before we consider the problem of sustaining the urban revival, let's consider the nature of the revival itself. The prosperity of the 1990s was different from earlier expansions. The 1960s boom had been accompanied by riots, rapidly rising crime rates, and social breakdown. In the 1980s, many major cities, including Detroit and Baltimore, never caught the economic wave, while those that did still suffered from increasing crime and welfare dependency. In the 1990s, by contrast, urban home ownership achieved historic highs, and poverty dropped sharply to its lowest rate since 1979. This trend was particularly pronounced in New York, where the greatest gains occurred in poor outer-borough neighborhoods.

New Orleans mayor Marc Morial captured the spirit of the urban renewal when he announced last year that the city was reviving the streetcar route along the Desire corridor. "People," he exulted, will once again "be able to ride a streetcar named Desire." "We're returning to the future." The 2000 Census

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suggests that cities all across America have been "returning to the future" as incubators of new businesses and catalysts of upward mobility for immigrants. Fueled by immigration, New York, Los Angeles, and Miami reached record population levels. Prosperity hit not only these and other fast-growing cities like Denver, Charlotte, and Columbus, but also so-called "dinosaurs" like Chicago, Boston, and Kansas City, all once given up for dead. Eight of the ten largest cities posted growth, and even those that continued to shrink, including Detroit, Philadelphia, and Cleveland, did so at much slower rates or in some cases nearly held even.

It would be a mistake to assume that the big cities can ever again achieve the dominant position they once held. America continues to become more suburban, as city populations continue to decline relative to their surrounding areas. For every three households that "returned" to the city, notes demographer Bill Frey, five households departed for the suburbs. Growth was fastest in overwhelmingly white exurbia, but minorities joined the move out of the cities as well. Still, as recently as the early 1990s, rising crime, welfare, and unemployment rates as well as riots in Los Angeles and New York led many to assume that central cities were dying if not already dead. What happened to turn things around? Some of the credit goes to the surging economy, some to immigration. But both of those elements were present in the 1980s and failed to spur an urban revival at that time.

Three broad social changes made an enormous difference. First, the storm created by the rise of black political power in the 1960s has largely passed. Day-to-day racial tensions have eased, and African-American leaders have been incorporated into the political classes of all the major cities. Race remains a major factor in local politics, but after three decades of black mayors, whites are far less fearful of blacks in power, and blacks have, for the most part, come to recognize that black mayors are fully capable of failing their own core constituency.

Secondly, the decline of manufacturing finally began to pay off in many cities. The reduction of manufacturing production in the past half-century occurred almost entirely within city boundaries, as nonurban manufacturing has held steady.

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Deindustrialization, a disaster for some cities, has been an opportunity for others to upgrade their quality of life by turning manufacturing lofts into living spaces and once-polluted waterways into recreation areas. Old manufacturing districts, like Soho in New York and Lodo in Denver, are now hip places to live. College graduates have flocked back to the center cities, which have become the place to meet other young, single twenty-somethings. Refurbished lofts and a newly developed nightlife like that of Baltimore's intriguing harbor neighborhood, Fell's Point, attract young professionals, while empty-nesters are drawn to the city's museums, restaurants, and theaters.

Many of those who work in Fell's Point are part of the software and graphics industry. The first phase of the high-tech revolution occurred largely in exurbia, but the second phase, involving designing software content, has found a natural home in the creative quarters of our older cities. Even famously conservative Cincinnati, a city torn apart by recent riots, is home to a thriving software sector.

Thirdly, retailers have discovered the untapped buying power of the underserved inner-city market. Cities have benefited from the saturation of suburban markets. One developer explained that he was looking at Brooklyn locations because "if we put up one more shopping center on the [New Jersey] Route 1 corridor, the whole place is going to sink into the ground, if it isn't killed off by traffic congestion first." Insurance companies have similarly awakened to the potential of what the *Wall Street Journal* has called "the last untapped insurance market in the U.S."

Policies that made a difference

But these structural changes would not have brought about the resurgence of the big city in the 1990s without a concurrent reconceptualization of urban issues. Washington, D.C., mayor Marion Barry captured the essence of many 1980s mayoralties when he insisted that he should not be held accountable for the mayhem in his city. He blamed the federal government for not giving the District enough money and exclaimed, "I'm not going to let murder be the gauge, since we're not responsible for murders, we can't stop the mur-

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ders." Barry's portrait of a victim mayor presiding over a victimized population was challenged in the Reagan years, but to little effect. In the summer of 1982, the Reagan administration created a firestorm with a report written by Housing and Urban Development staffer Steven Savas. Savas, a veteran of the disastrous mayoral administration of John Lindsay, used his New York experience to challenge every major assumption of 1960s urban liberalism. Guarantees of federal support, Savas wrote, have created "crippling dependency rather than initiative and independence." Federal programs, he argued, have transformed local officials "from leaders of self-reliant cities to wily stalkers of federal funds." But Savas insisted that "cities can learn to become masters of their own destinies—regardless of the level of federal support."

The Savas argument was received with hostility, but it slowly gained currency. By the early 1990s, a group dubbed "the new mayors" had embraced his approach to city governance. Over the course of the 1990s, the federal government's involvement in cities declined while the cities, newly skeptical of Washington, have revived. If Barry depicted himself as a cork on the ocean, the reform mayors of the 1990s, beginning with Milwaukee's John Norquist, assumed responsibility for the condition of their cities. Denver mayor Wellington Webb encapsulated their approach when he described mayors as "CEOs," fully accountable for the performance of city government. He argued that mayors "need to bury forever the old image of mayors with a tin cup and an extended palm asking for handouts to sustain and expand cumbersome bureaucracies." Providence's roguish but enormously effective mayor Buddy Cianci summed up the change in attitude: "I've been a mayor in the 70s, 80s, and 90s, and it used to be that being a big city mayor meant being a social worker.... Now mayors are entrepreneurs."

All the new mayors recognized that the central cities would continue to lose population and jobs to their suburbs unless steps were taken to bring taxes under control and improve the quality of life. This conclusion has led to a new concern with the details of daily existence. Daley planted trees throughout the city, even on the roof of City Hall, and Cleveland's mayor Mike White attacked graffiti and potholes. John Norquist has

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encouraged excellence in the architectural design for new projects in Milwaukee, arguing that cities' strong suit is their public spaces. Cities offer pleasures of public life unavailable in suburbs, he notes, where "life is filtered through a two screen experience—the TV and the windshield."

Less dramatic, but almost as significant, has been the new attention paid to neighborhood vitality by mayors like Thomas Menino of Boston, Norquist, Daley, and Webb. Menino recognizes that retail is crucial to a neighborhood's revival. "You can't just do housing," he argues. "Commerce isn't the last step in a community's comeback; more often, it has to be the first." Many mayors speak of new convention centers or stadiums, but Menino endorses a different strategy. He proudly told *Governing Magazine* that "in the eight years I've been in office, Boston has built 12 new supermarkets." He explained that "a supermarket is the focal point of a community; you need it to get the foot traffic."

But the greatest achievement of the last decade was bringing crime under control. New York led the way through a combination of the "broken windows" policing strategy and the Comstat crime-mapping program. Broken-windows policing takes seriously small crimes, such as public drinking and urination, that can make a neighborhood seem threatening to residents and inviting to would-be felons. In the most famous example of the broken-windows approach, the New York City Transit Police began arresting turnstile jumpers in the early 1990s and found that one in seven was wanted on outstanding felony warrants. Before Comstat, a method of charting crime trends, the information that police used was sometimes weeks or even months old. Now crime patterns are tracked daily so that problems can be quickly addressed and precinct commanders held responsible for the crime rates in their districts.

Baltimore's innovative mayor Martin O'Malley has taken the Comstat principles and applied them to a range of services. In the case of sanitation, he has used the Comstat mapping principles to target emerging problems and hold district managers accountable. O'Malley's innovations have introduced an unaccustomed transparency to government agencies, whose operations were once understood only by a few insiders. Baltimore's success has led mayors and other officials

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from more than one hundred cities to visit and learn how it was done.

How much of the legacy of the new mayors will endure? How much of their success has been institutionalized? After a decade of strong, successful mayors, cities such as Los Angeles, Oakland, Spokane, and Cincinnati have enhanced the power of the executive office relative to city councils and school boards. The experience of recent years suggests that mayors need the authority to override the parochial interests that dominate city councils and boards of education. In Chicago, Detroit, and Philadelphia, mayors now have more power over the educational system, and New York is also likely to move in that direction. But a strong mayor doesn't guarantee a strong city: Detroit's Coleman Young ruled virtually without opposition but sent his city deeper and deeper into failure.

George Musgrove, Oakland's deputy city manager, not too long ago took an optimistic view of the future, claiming that "a movement of good government for cities has swept the country, and all good mayors—African-American, white, Latino—are governing that way." New Orleans mayor Marc Morial sounded a more cautious note: "The last few years have been tremendous for most of the mayors." But looking at the mayoral campaigns then underway in Atlanta, Cincinnati, Cleveland, Detroit, Hartford, Houston, New York, and Seattle, Morial mused that there was no guarantee that the sort of people and policies that had made for the 1990s revival would continue to hold sway. Morial was right to worry. The recent rounds of elections suggest, at best, a range of possibilities for continued urban revitalization.

The good and the bad

Indianapolis and Philadelphia represent the best- and worst-case scenarios, respectively. With a string of four consecutive effective mayors, Indianapolis is the envy not only of misbegotten neighbor Cincinnati but of much of the country. In the 1990s, Steve Goldsmith transformed Indianapolis government by opening up city services to competition with private-sector vendors. The result has been a more efficient government, as union workers now have the opportunity to compete to perform city services. But despite his successes on services rang-

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ing from bus routes to waste-water management to the upkeep of the parks, Goldsmith had scant luck in reforming the hidebound police department and the schools, which are under an independent board of education. Democrat Bart Peterson, picking up where Goldsmith left off, is trying to circumvent the board of education by supporting charter schools. He is the first mayor in the country to be given state authorization to approve charter schools on his own.

Following the record levels of homicide of the Goldsmith era, Peterson has also promised to hire 200 more police officers over four years. But his reform efforts are likely to be hampered by a system that allows a new administration to appoint only the chief and deputy chief of police, while everyone else in the department, officers and patrolmen alike, belong to the same strong union.

In Philadelphia, by contrast, the reform impetus of the 1990s, already fading during the second term of Mayor Ed Rendell, has been replaced by a return to patronage and process-driven politics. Rendell saved Philadelphia from collapse, but whether he permanently altered the city's self-defeating political culture is not yet clear.

In the early 1990s, Mayor Rendell made a reputation for himself as an urban reformer by rescuing Philadelphia—which was losing jobs and population—from near bankruptcy. This was a city that had raised taxes 19 times in 11 years, and in which municipal workers could take off one workday in five. Rendell knew that Philadelphia's traditional patronage politics had come to a dead end. He faced down the city's powerful unions, which he said hadn't "had a bad day in 30 years," by trimming paid holidays and eliminating work rules that required, for example, three workers to change a light bulb at the city-owned airport.

But successor John Street, who was elected in 1999 with the support of those same unions and interest groups, has shown little inclination to buck the city's permanent political class. Street, the city's second African-American mayor, was elected by the same racially mixed public-sector coalition that former tough-guy mayor Frank Rizzo tried to put together just before his death in 1991. Mayor Street is a brilliant tactician and negotiator. But while his allies and donors are doing

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well, Philadelphia as a whole has very little to show for the first two years of his administration.

Philadelphia lost 68,000 people—4 percent of its population—in the 1990s. Ten percent of the city's land is unoccupied, and about 14,000 abandoned buildings blight the landscape. The obstacles to redeveloping abandoned land for new uses are numerous. Before confronting the city's rococo zoning rules and permit processes, a prospective builder must get legal possession of the abandoned lots. According to the *Philadelphia Daily News*, "Anyone wanting to take over a tax-delinquent vacant lot in Philadelphia must go through 54 steps at 12 agencies, a process that takes at least two years and often many more. The job is only slightly easier if the city already owns the lot: 39 steps at nine agencies." If persistent enough to acquire the land, builders will then face labor costs that make construction 60 to 80 percent more expensive than in the suburbs. And after overcoming all those hurdles, they will find that the building-trades member of the zoning board—an ally of Mayor Street and a representative of the sheet-metal workers—requires that all new homes, no matter how modest in price, have central air-conditioning.

But instead of acknowledging the obvious fact that the city's permit and zoning system is designed to produce public-sector jobs rather than new construction, Street and the city council got bogged down in a lengthy fight over control of the money set aside for cleaning abandoned lots and buildings. Street wanted council permission to float $250 million worth of bonds before receiving public or city-council sanction. But the council, well aware of Street's history on this matter, balked. As Rendell's council president, Street had controlled Philadelphia's empowerment-zone monies. He produced consulting contracts and several large holes in the ground, but virtually no new development. In fact, the population inside Philadelphia's empowerment zone dropped 17 percent in the 1990s, or four times the city's overall rate of decline, despite an infusion of $79 million in federal funds. Suspicions were therefore aroused that the blight money was intended largely for Street's friends and donors. The mayor himself, never bashful on this point, has explained that "the people who support me in the general election have a greater chance of getting business from my administration."

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Mayor Street appears to view all policy choices through a special-interest lens. This year the state threatened a takeover of the city's violence-ridden, financially bankrupt school system, in which fewer than half of the students graduate and the teachers' workday is among the shortest in the country. Street initially welcomed the takeover as a chance for reform. But when the NAACP, the strike-prone teachers, and the contractors and suppliers objected, Street changed his tune. His staff and allies devised a secret plan to subvert reform. The 67-page plan explained how Street could undermine the state by shifting key educators to the city payroll to "cripple" school operations. But the report warned that the city must "avoid the public perception that the mayor does not care about improving education and is using the city's schoolchildren as pawns in a political power struggle."

Street largely succeeded in derailing major school reform. The new school commission run by the city and the state quickly moved to divide the spoils by awarding $675,000 worth of consulting and legal contracts to Pennsylvania Republicans and Street's Democratic backers. But Street's "victory" so aroused the ire of the state legislature that limited change in the form of several new charter schools will now go ahead. In the words of one Philadelphia insider, "School reform has gone from promising to fraudulent to weak."

After Street's early manipulation of school-reform politics, a local political insider claimed that "John Street has just removed the last obstacle to his reelection in two years." But in March, 2002 the overconfident mayor provoked an unexpected civic storm by announcing that he was suspending the small scheduled reductions in the city's onerous wage tax. This levy gives Philadelphia the highest family-tax burden in the country. Economists at the Federal Reserve estimate that Philadelphia has lost more than 200,000 jobs to the wage tax since 1970. During the 1990s, when other cities were enjoying an employment boom, Philadelphia lost 33,662 private-sector jobs.

With his announcement, Street ignited a very public fight with the usually moribund business leadership. Philadelphia politics is defined by an exquisite cynicism: Columnists brag that the city is a model of democracy because everyone can afford the $10 bribes necessary to buy off city plumbing in-

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spectors. But when the mayor insisted that even a small tax cut would lead to library and recreation-center closings and possibly even a shortage of police bullets, he tapped an unexpected wellspring of anger in a city where the population has shrunk even as the city workforce continues to grow. The city chamber of commerce, its members shod in wing-tipped loafers, led a march on city hall that was joined by Teamsters and a bevy of black ministers. Loudspeakers blared the Beatles' "Taxman" and "Revolution" and, of course, the theme from *Rocky*. Conceding that the wage tax "has become symbolic of something that is fundamentally wrong with our city and its tax structure," Street backed off and allowed the tax cut to go through.

To Street's surprise, it wasn't possible to go all the way back to business as usual. The rising expectations produced by the Rendell years had become a factor to be reckoned with. But even with the tiny cuts in the wage tax restored, Philadelphia is still uncompetitive. And it remains uncertain whether this will be the end of tax relief or the beginning of a more promising future.

Los Angeles

Richard Riordan, who became mayor of Los Angeles in 1992, restored the confidence of his riot-torn city. In the early 1990s, Los Angeles was struck by a series of blows. The city was particularly hard hit by the 1991 recession, which coincided with the end of the Cold War and a sharp decline in the area's defense employment. The administration of Tom Bradley, mayor since 1973, was shaken by scandals. Additionally, in a city where the two-party system usually refers to the mayor's party and the police chief's party, Bradley and his police chief—the imperious Daryl Gates—were not on good terms. They hadn't spoken for a year when the 1992 Los Angeles riots broke out, and their feud left the city government paralyzed.

Riordan, a businessman with a long history of civic involvement, inherited a dispirited city and an office with sharply limited powers. Los Angeles had a uniquely organized city government—a strong council, a commission system that ran the port and the water and power systems, and a police chief who was virtually independent. But Riordan used his limited powers to calm and reassure the city. He recognized that the

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loss of military contractors, as well as other major corporations, meant the city was going to have to pay a great deal more attention to small and medium-sized businesses. He was particularly effective at restoring business confidence by reducing the red tape that had built up during Bradley's long reign.

Despite his campaign promises, Riordan was never able to bring the LAPD up to full strength. Demoralized by the 1992 Rodney King riots, rogue cops, threats of a federal consent decree, and intense hostility between the chief and the police union, the force was perennially short-staffed. Los Angeles has roughly 40 percent of New York's population, but only about 21 percent of the Big Apple's police officers. Riordan spoke with admiration of New York's broken-windows and Comstat policing but was never able to push through similar reforms in Los Angeles. Riordan was successful, however, in using his own considerable fortune to win public approval of a new charter that expanded the powers of the mayoralty. The 1999 city charter limited the executive power of the city council and gave the mayor the ability to replace department heads, subject to a council veto. It represented, asserted the *Los Angeles Times*, "the most profound change in the structure of government since the 1920s." Furthermore, the office of the police chief was stripped of its right to tenure and was made subject to oversight by a police commission, which now can terminate the chief's contract after a five-year term.

By restructuring the institutions of city government, the new charter held out the promise of continued reform. But Riordan's chosen heir, Republican businessman Steve Soboroff, was eliminated in the first round of the 2001 nonpartisan primary. Neither of two leading candidates, Democrat James Hahn, a cautious career politician whose father had been a great favorite of African-American voters, nor the charismatic Antonio Villaraigosa, a former state assembly speaker bidding to be the city's first Latino mayor, campaigned on the continuation of Riordan's policies. Instead, both invoked the memory of the late Tom Bradley.

The year 2001 was an important one for Los Angeles. The city was to elect a new mayor, a new controller, and new city attorney, and, due to term limits, six of eleven council members. Furthermore, the city had gone through an unprecedented

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demographic change. Over the course of 40 years, Los Angeles had been transformed from the whitest major city in the United States to a city with a Latino majority.

After the first round of voting, it appeared that Villaraigosa would be the victor. Backed by a labor-Latino alliance, the candidate spoke of using the mayor's enhanced powers to remake the city. "Villaraigosa," explained influential journalist Harold Meyerson, promised to turn "Los Angeles into the next great proving ground for American progressivism, the place where the great wave of new immigrants stakes its claim on the nation's conscience, bounty and future." But it was a false denouement. Villaraigosa was defeated in the run-off by Hahn, who assembled a *mesalliance* of black voters from South Los Angeles and white moderates from the San Fernando Valley.

Hahn, who grew up as a part of the political class of this apolitical city, has continued and even enhanced policies designed by Riordan that aimed at supporting small businesses. But Hahn's tenuous electoral coalition has fractured. The perennial contest for control over the police department has roiled his relationship with blacks, even as a strong secession movement suggests that much of the city assumes that Los Angeles is unreformable.

Los Angeles, with its 466 square miles, is *de facto* a regional city. The downtown area, where city government is located, is only one of a half-dozen business centers and is remote from the lives of most people. Like Riordan, Hahn was elected with the support of the San Fernando Valley, which is separated from the rest of the city by a low-lying mountain chain. The Valley sees itself as forever shortchanged when it comes to city services, comparing unfavorably the services it receives with those in the nearby small cities of Burbank, Glendale, and Pasadena, where city government is accessible and responsive. Like Riordan, Hahn has paid lip service to Valley concerns, and in the campaign, he implied that he would stay neutral in the secession fight. But as mayor, Hahn has aligned himself with the city's public-sector unions, which bitterly oppose a divorce, eliciting cries of betrayal. As of mid March of this year, polls show that support for secession has grown by 10 percent and now leads 55 to 36 percent in the Valley and 46 to 38 percent in the city as a whole.

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There is even a growing secession movement in Hahn's home territory, the port neighborhood of San Pedro.

Secessionists are not the only ones crying foul. The crime rate, driven by a revival of gang activity, is rising rapidly. But this has been overshadowed by the hostilities between two of Hahn's core constituencies, African Americans and the Police Protective League (PPL). Hahn, who seems unaware of, and uninterested in, the methods that have made other cities more successful in reducing crime, promised both to retain African-American Bernard Parks as police chief and to grant the PPL a three-day work week. But the PPL has been at war with Parks, who has cited 6,000 of the 9,000 officers for one infraction or another. Hahn has had personal difficulties with Parks, who often overshadows him, and ultimately sided with the PPL, agreeing not to reappoint Parks. His once-loyal black supporters were angered, seeing his decision as a dangerous erosion of their political power.

In other cities these two developments might produce enormous turmoil. Hahn supporters fear that an alliance between anti-Hahn secessionists and blacks angry over Parks's dismissal might allow the secessionists to break away. But government tends to be at best a secondary matter in this sunshine city where politics is derided as a profession for people without the good looks to make it in the movies. Hahn, who to date has made but limited use of his enhanced powers, seems to have little in the way of an agenda other than hanging on. If he falters, he may be replaced in the next election by the new city attorney Rocky Delgadillo, a Latino centrist. Delgadillo, who appeals to African Americans, has a strong probusiness agenda and has promoted New York-style police practices.

Detroit

In Detroit, the successor administration has been slow to reveal its character. It remains to be seen whether the reforms of former mayor Dennis Archer will be sustained, let alone advanced. Detroit's population had declined from 2 million in 1950 to a little under 1 million in 2000, but like Philadelphia, the city caught a bit of the 1990s rising tide. The city Archer inherited from five-term mayor Coleman Young in 1993 was near collapse. The government barely functioned:

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"When I walked into the city hall," Archer has commented, "I didn't even have a computer. We still had rotary dial phones in some departments." But that was hardly the worst of it. Coleman Young, who liked to think of himself as a "badass," had taken pleasure in cursing at the suburbanites beyond Eight Mile road, whom he accused of "pillaging the city." They returned the sentiment in kind, leaving Detroit economically isolated. Young was similarly hostile to the police, arguing that "crime is a problem but not the problem. The police are the major threat ... to the minority community." Murder and arson soared. As one observer put it, "It is as if the [1967] riot never ended, but goes on in slow motion."

Young created a cult of personality, but he was never able to deliver basic services—the city didn't even plow residential streets after snowstorms. The subject of numerous federal investigations, Young was never found guilty of anything, though his former police chief, the chief's top deputy, and a Young business partner were convicted of embezzling about $2.5 million each from a Detroit Police Department fund. Detroit's downtown was so vacant that it was proposed that the empty skyscrapers be turned into a necropolis, a monument to urban failure. When the city cut back on power for lighting to save money, people joked that the "last one to leave should turn off the lights."

Unlike Young, Archer consistently maintained a high standard of conduct and kept his administration largely free of scandals. He reduced Detroit's growth-stunting business and income taxes and balanced its budgets. He put the city's fiscal house in order, rescuing it from near junk-bond status. Archer's most important accomplishment was to reconnect Detroit to the surrounding region. He enticed General Motors and the Compuware Corporation to move their headquarters into downtown Detroit, bringing back more than 10,000 jobs. The city's baseball team, the Tigers, has returned to the downtown, and its football team, the Lions, is soon to follow. Archer also repaired relations with both the state government, which responded with "brownfields" legislation, making it easier to clean up polluted industrial sites, and with the local county governments, which pitched in to help Detroit when it was unable to cope with a major snowstorm.

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But for all this progress, Detroit still can't plow its streets. Having foresworn competitive bidding to appease the city's powerful unions, Archer struggled to improve city services. He pushed through a $10 million modernization of the streetlight system, boosting the number of working lights from 60 percent to 95 percent. But when he left office, more than a third of the city's traffic signals were still out of commission. Archer was also unable to reform a police department that leads the country in fatal shootings, in a city that is near the top in homicides. Detroit's crime statistics are so unreliable that the FBI has refused to include them in its uniform crime surveys. And in June of 2000, Detroit suffered a two-day blackout when the city-owned power system failed.

Like Philadelphia, Detroit has a massive government of 44 departments, built up when the city's population was far larger. Archer has made some progress in straightening out the land titles for the city's 44,000 abandoned lots. But as in Philadelphia, getting a title is only the start of a builder's problems, as some 350 different permits, issued by 11 different city agencies, are required. In addition, 5 separate agencies issue 83 different licenses, and responsibility for environmental inspections is split among 13 operations across 6 departments. In short, as Archer's successor Kwame Kilpatrick enters office, Detroit still hasn't decided whether city government exists to provide jobs for organized interests or services to citizens.

Kilpatrick won the mayoralty this past November in an election dominated not by Archer's incremental achievements but by the long shadow of Coleman Young. Archer, a Catholic in a city of Baptists, was dogged by charges that he "wasn't black enough," and was always more popular in the suburbs than at home. He was even subject to a failed recall effort in 1999. Neither Kilpatrick nor his rival, former police officer Gil Hill, talked about building on what he had achieved. The public, explained Bill Johnson of the *Detroit News*, "still buys Coleman Young's argument that the psychic benefits of a black autonomy outweigh the material gains of rejoining the region." To underscore that point in the midst of the mayoral election, the city council unanimously voted to create a holiday honoring Coleman Young.

The 31-year-old Kilpatrick, the country's youngest big-city

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mayor, is a former star football player who comes from the city's leading political family. His mother is a congresswoman, his father a key adviser to the Wayne County executive. He worked well with Republicans when he was House minority leader in Lansing, earning a reputation as a moderate. But running for mayor in Detroit, Kilpatrick found it necessary to establish his Coleman Young credentials by blasting his home state as "the Mississippi of the north."

Kilpatrick enjoys the backing of the business community, but with the auto economy slumping and Ford laying off workers, he has a formidable task ahead. He enters office with a growing budget deficit and a host of union contracts up for renewal. In his inaugural address, the crowd responded with enthusiasm when Kilpatrick promised to root out city workers with a "quit-and-stay mentality"—those who, as he put it, "quit a long time ago, but they come to work every single day." But it's not clear how he can accomplish this, having won office with the backing of public-sector unions and having all but promised never to submit city services to managed competition.

If the new mayor sticks to his campaign platform, it is likely that Detroit will revert once again to being Coleman Young's city. But there are some indications that Kilpatrick, a man with higher ambitions, might surprise. Jerry Oliver, his choice to head the dysfunctional police force, told the press that public-sector "unions are about maintaining the status quo and mediocrity." Kilpatrick himself has made a point of firing very publicly city workers caught on camera goofing off on the job. To date, notes George Cantor of the *Detroit News*, Kilpatrick "has been successful at symbolism," but the city is "waiting to see what the substance of the administration will be like."

New York

The mayor who most inspired these others was New York's Rudy Giuliani. Giuliani exerted an enormous influence on American cities through New York's broken-windows policing and its Comstat computer-tracking model, which has been adapted by other cities for a wide range of services. But these successes were only the precondition for his greatest achievement, the restoration of upward mobility as the social norm in

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New York. Before Giuliani, New York politics was mostly about striking caring poses. Giuliani's predecessors, from John Lindsay to David Dinkins, spoke endlessly of what the city owed the poor but delivered instead rising rates of crime and welfare.

Dinkins' New York was organized around the unspoken assumption that poverty was a permanent condition, and that the best that could be done was to make it bearable. In Giuliani's words, "We blocked the genius of America for the poorest people in New York." Under Giuliani, the city restored the ideal of upward mobility. Giuliani spoke not only of the rights of the poor but also of their obligations to society. As mayor, he delivered greater safety and a rising standard of living in the city's most blighted areas, from Mott Haven in the South Bronx to Brooklyn's East New York. New York's poorest neighborhoods experienced the sharpest drop in crime and the biggest rises in income and property values. None of this was predestined. No other city has made comparable gains, let alone sustained them. New York's crime rates continue to decline even as they have been rising in other big cities. Turning the tables on those who would substitute intentions for outcomes, writer James Traub has asked of Giuliani's critics, "Isn't preserving people's lives, well-being, and property the most compassionate policy of all?"

But Giuliani cultivated no heir. Near the end of a mayoral campaign overshadowed by the terrorist attacks and the war in Afghanistan, he endorsed the eventual victor, billionaire Michael Bloomberg. A lifelong Democrat and a self-proclaimed liberal, Bloomberg spent his way to the Republican nomination and went on to burn through a record-shattering $75 million (plus untold dollars in the form of charitable donations) in the course of defeating the favorite, Democrat Mark Green. Insulated from criticism and scrutiny by a wall of money and advisors, Bloomberg put together a *mesalliance* easily as strange as that which elected Hahn in Los Angeles. He won the votes both of Giuliani's most fervent admirers and his angriest detractors. One of these partners is likely to be disappointed.

The new mayor, who has brought a gentler style to City Hall, has made a point of stressing cooperation and partnership whenever he speaks. To date, this emphasis on teamwork seems to be paying off. His efforts to cut the $4.8 billion

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budget deficit produced by the stock-market slowdown, the destruction of the World Trade Center, and the cost of new hires brought on in Giuliani's second term, have brought what for New York is a relatively minor reaction. Bloomberg's pledge to impose no new broad-based taxes has drawn uncharacteristically mild criticism from the city council, which is dominated by representatives of public-sector unions and social-service agencies funded by the city.

Bloomberg has reached out to interests shut out of City Hall during the Giuliani years, and he has, for the most part, continued Giuliani's policing practices. The mayor will no doubt use his personal fortune, estimated at $4 billion, to keep many of the city's often ferocious interest groups in his corner, through ongoing "charitable" donations. Like Nelson Rockefeller, he has his own system of rewards and punishment independent of the public treasury.

The new mayor's first big policy initiative and the first major test of his consensual style has been his continuation of Giuliani's fight to abolish the dysfunctional board of education. The board, which has seen its funding rise from $8 to $12 billion annually over the past four years to little educational effect, has been described by Bloomberg as a "rinky-dink operation." But in order to assume mayoral control, Bloomberg needs the cooperation of the state legislature, traditionally a handmaiden to the city's powerful teachers' union. His effort is also complicated by the fact that the teachers' contract is up for renegotiation. Bloomberg declares that his administration should be judged in large measure by its educational achievements. It's a fair measure, and his commitment partially undercuts those critics who worry that by softening the hard edges of "Rudyism," Bloomberg may revert to treating the poor with the paternalism and condescension associated with Nelson Rockefeller and John Lindsay in the 1960s. But if Bloomberg's cooperative approach fails, he may have little choice but to return to a Rudy-style politics.

No turning back?

The reform mayors of the 1990s made a sharp break with the past. Once-standard arguments that poverty was the root cause of urban problems, and that therefore crime could not

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be reduced until poverty was eliminated, largely fell by the wayside. With the declining crime rates and the broad national prosperity of the 1990s, poverty became less a proof of oppression than evidence of failed social and economic policies.

While reform currents have been slowed in some cities, they are unlikely to be entirely displaced. The new urban reformism has no ideological competition. Some of the policy successes of the 1990s in the areas of taxes, policing, and welfare reform have come under attack, but the critics have offered little in the way of alternatives. Furthermore, as in Philadelphia, the 1990s awakening created a change in expectations, an updraft, that makes citizens less likely to accept ongoing failure. Cincinnati, for instance, looks with envy at the success of nearby Indianapolis, while Detroiters talk about how it's done in Cleveland.

Still, some mayors and cities will continue to fail. It is hard to be optimistic about the future of Philadelphia and Detroit, where the gravitational pull of a patronage-driven parochialism—more intent on preserving old jobs than creating new ones—may be too strong for mayors to escape from its orbit. It may be that the reforms of the 1990s will turn out to be merely an Indian summer in those cities where failed political cultures undermine the self-correcting mechanisms of democracy. But failure now exacts a political price. In both Philadelphia and Detroit, state governments have shown an increasing willingness to take over city institutions such as schools, parking authorities, and the courts.

For nearly 70 years—from roughly 1920 to 1990—the broad trends of American life ran against the country's big cities. Federal efforts to bolster urban areas in the 1960s tended to make matters worse, as cities waited passively for the federal government to rescue them. In the 1990s, the tides shifted and urban America, once stranded, rejoined the rest of the country. A new generation of mayors stopped relying on Washington and broke out of old orthodoxies. In those cities that remain on the path of self-reliance and economic growth, progress will continue.

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Where have all the nurses gone?

RONALD W. DWORKIN

THE nursing shortage in the United States has turned into a full-blown crisis. Because fewer young people go into nursing, one-third of registered nurses in the United States are now over 50 years of age, and that proportion is expected to rise to 40 percent over the next decade. Nurses currently practicing report high rates of job dissatisfaction, with one in five seriously considering leaving the profession within the next five years. In Baltimore, where I practice medicine, hospitals routinely cancel or delay surgical cases because of a lack of nursing staff.

Conventional wisdom blames managed care for the problem. In the early 1990s, managed care cut reimbursement and curtailed hospital admissions, and in response, hospitals relied on unlicensed assistant personnel instead of nurses to perform routine tasks. Fewer people went into nursing as a result. By the time demand for nurses had increased in other areas like home and ambulatory care, and administrators began noticing an upsurge in medical errors stemming from a greater reli-

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ance on non-nursing personnel, it was too late—young people had come to look upon nursing as a profession in decline.

Yet the managed-care explanation fails to explain the global nursing shortage. In Canada, Germany, and Great Britain, the nursing shortage is as severe as in the United States, even though these countries have health-care systems based on very different economic models.

The new career opportunities open to women provide a second explanation for the nursing shortage. When nursing was one of the few career paths available, it had a captive labor pool. Now that other, more lucrative opportunities beckon—for example, medical school—women are less likely to choose nursing. Yet this theory fails to explain why other, traditionally female-dominated professions like teaching maintain enough applicants. In Baltimore, for example, registered nurses make more money than teachers. The starting annual salary for a nurse is approximately $35,000; for a teacher, it is closer to $27,000. Teaching should be the more vulnerable profession, yet in reality nursing is the one that suffers.

There is some truth to the managed-care and open-career theories, but they do not tell the whole story. Nursing's troubles are more profound and alarming than even nurses themselves realize. The nursing profession is being whittled down in size and stature as a result of three overarching trends: the decline of the professional ideal, the worsening social predicament of nurses, and the evolution in the spirit of caring.

Florence Nightingale dethroned

The modern nursing profession evolved, to some degree, in reaction to its past. In the eighteenth and early nineteenth centuries, nursing ranked low in the public's estimation, and for good reason. During this time, nurses were often poorly trained and sometimes disreputable or drunken. The public's attitude toward nursing changed almost overnight with the activities of Florence Nightingale during the Crimean War. Known as the "lady with the lamp," Nightingale combined saintliness with hygienic knowledge to produce the ideal of the modern nurse.

Yet it was not inevitable that nursing would become a largely

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female profession. Shortly after the establishment of the first school of nursing, British authorities continued to emphasize the benefits of physical strength that males might bring to the profession. And there was certainly nothing in hygienic science that kept men from becoming nurses. Not the expertise, but the virtues associated with nursing were the impediment: They were seen as distinctively feminine, and are still to this day.

What does the nurse ideal conjure up in the public mind? People imagine a nurse's tenderness, sweetness, and kindness; the softness of her hands in contrast to the doctor's cold and sharp instruments; a nurse's graceful pride and light step; the delicacy and understanding with which she mops a patient's brow with cool compresses. In the hospital, subliminal reminders of domesticity abound: Shining washbasins recall the rules not just of hygiene but also of a well-kept home, and a nurse's dedication and selflessness recall a mother's sacrifice for her children.

The link between nursing and feminine virtue is a major reason why only 6 percent of nurses in the United States are men, a number that has not significantly changed in over 40 years. In contrast, almost 30 percent of U.S. teachers are men, as are a large number of airline-service workers. Men are comfortable entering these other, traditionally female-dominated careers because they do not see them as inherently feminine. To attract men to airline service, management needed only to change the job title from "stewardess" to the more sex-neutral term, "flight attendant." What makes nursing seem inherently feminine is not its service orientation but the virtues of compassion and empathy that go with it.

Since the era of Florence Nightingale, nursing has stood on two pillars—virtue and good science. However, starting in the late 1970s, the nursing profession, both in the United States and in Western Europe, began to emphasize science at the expense of virtue. According to progressive thought, virtue was a personal, not a professional, concern. Feminists especially fought to expunge the ideal of virtue from nursing, since not only were nurses' traditional virtues biased toward one sex but they had long been associated with a woman's timidity and subjugation.

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It was the aim of nursing activists to turn nursing into a knowledge-based profession. Hospital nursing programs that award noncollege diplomas have largely been discontinued. Nursing education is now firmly on a university track. Only those who earn a B.S.N. (Bachelor of Science in Nursing) receive the title, "professional nurse." An A.A. (Associate Arts) degree earns the lesser title, "technical nurse." In truth, however, nursing lacks an independent knowledge base. Nurses are taught the same material as physicians, only less of it. Nursing textbooks, for example, differ from physician textbooks only in being less rigorous. When nursing tries to distinguish itself on the basis of scientific knowledge alone, nursing loses status among doctors and para-professionals who have knowledge bases of their own. Thus, the professionalization of nursing and the lingering sense that it is a women's profession have had devastating consequences for nurses.

Equivocal professional status

Nursing practice at the highest levels can be extremely frustrating. Aspiring to the modern professional ideal in this setting is like going to the well but not being able to drink. In terms of salary and education, nurse anesthetists and advanced-practice nurses sit in nursing's upper ranks. Nurse anesthesia, for example, is extremely technical, and one of the few nursing specialties that is popular among men, since, to some degree, it is where knowledge matters more than bedside manner. But while nurse anesthetists and advanced-practice nurses train for years, they know that their sphere of knowledge is limited. They remain under the control of doctors, since doctors have more education than they do and receive higher renumeration. I once overheard a nurse tell a patient that the difference between a nurse anesthetist and an anesthesiologist is "about $200,000 dollars a year."

Young people who envision careers in the upper ranks of nursing quickly decide to go to medical school instead. If they want to be thought of as full professionals in an era that equates professionalism with expertise—and nothing else—they probably should.

For nurses in the middle and lower ranks, life is no less frustrating. They are called professionals by virtue of their

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education. Yet when nurses with B.S.N. degrees look around, they see nurses with A.A. degrees, and even older nurses with noncollege diplomas who have been "grandfathered" into the system, performing the same tasks as they and getting paid roughly the same salary. The B.S.N. graduates conclude that the fine gradations in nursing competence established by nursing boards exist only to raise self-esteem and have little clinical significance.

Every day, nurses are reminded of the weakness inherent in a professional ideal of nursing based on expertise alone. If the hospital has a shortage of assistant personnel, nurses are called upon to fill in. Emptying out the garbage and changing beds—duties that supposedly stand on the other side of the great professional divide—quickly become a nurse's duties whenever orderlies go on strike or call in sick. Even nurse anesthetists are occasionally drafted to perform such duties, for, when all is said and done, hospitals see them just as nurses, without a monopoly on any one skill. Nurses quickly learn that they are not professionals so much as the middle ground between the hospital's professional and nonprofessional classes.

Nursing's equivocal position has now been formally institutionalized. For example, registered nurse first assistants (RNFAs) are trained as surgical assistants and frequently help with operations. But their role is not distinctive. RNFAs know that surgeons ask for them only when insurance companies refuse to reimburse for a second surgeon (e.g., when the case is a breast biopsy as opposed to a gall bladder operation). Their special training is only honored when it is convenient.

Similarly, hospitals often employ nonlicensed technicians to scrub floors, circulate in the operating rooms, and prepare patients for operations, thereby freeing RNs to perform duties commensurate with their level of education. Yet in neighboring outpatient surgery centers, nurses perform these tasks to save the centers money.

Nursing's image is in limbo during an era that equates professionalism solely with knowledge. Because nursing lacks an independent scientific base, young women must weigh years of education and hard work against the prospects of tenuous professional status at best. And since the nursing leadership

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repudiates the older ideal of nursing as a career well-suited to a woman's special attributes, young women see little in nursing that is honorable or distinctive. Young men also spot the weakness in nursing's claim to professional status. They consider nursing a distinctively feminine vocation, despite the public-relations effort to the contrary. Thus, they too turn away from careers in nursing.

These problems play out in other ways. Bright young people see a nursing career as relatively undistinguished, since nurses wear a professional's hat one day and an orderly's the next. People for whom nursing school would be a major challenge forego the effort, since becoming a nursing assistant allows them to check vital signs and perform other nursing activities without actually having to become a nurse. Ironically, by shedding nursing's mundane tasks in the effort to boost the profession's status, nursing advocates have made the job of nursing assistant seem more attractive to borderline applicants.

The nursing profession's weakness is especially vivid when juxtaposed with the emerging order of physician assistants (PAs). PAs form a class of employees known as "physician extenders." Generally employed by doctors, they perform quasi-nursing duties, which is why nurses look upon them as rivals. Additionally, because PAs have a different heritage from nurses, their numbers are swelling rather than declining. The first PAs were ex-corpsmen who served in Vietnam, and so, unlike nurses, they lack an historical tie with feminine virtue. Men who are PAs perform nursing duties without any stigma. Nor do PAs try to professionalize their status on the basis of an independent science, since by definition, they are attached to doctors.

When the professional ideal of nursing combined knowledge with a noble sensibility, doctors saw nurses as simultaneously beneath them and adjacent to them. Nurses had more limited knowledge than doctors, but they displayed admirable qualities that doctors lacked. When this unique spirit died, and nursing tried to distinguish itself on the basis of scientific knowledge alone, it lost status in the eyes of doctors and those para-professionals who operated within their own spheres of influence. Suddenly, nursing was beneath everyone.

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The subjection of women

The history of nursing is bound up not only with the evolution of the professional idea but also with women's marital aspirations and the changing status of women in society. Many years ago, I asked my mother why she became a nurse. She replied, "That's silly. To marry a doctor, of course." Many of my mother's friends would have answered the same way.

The high number of marriages between male doctors and female nurses during the 1950s and 1960s is perfectly understandable. If you place a handful of young male interns with a handful of young female nurses, then work both groups so hard that they rarely leave the hospital building, romance will inevitably result. In those days, the image of the ideal nurse was in full force, and it catered to men's fantasies of caring and selfless women.

The attack in the 1960s on the traditional female ideal and the promotion of sex-neutral professionalism made these feminine virtues seem out of date. This change was accompanied by a coarsening of doctors' attitudes. To many male doctors, nurses became only women to have fun with. The idealized image of the nurse lost its virtue component, but retained its sexual component. Such attitudes toward nurses are well-captured in an experience I had as an intern in the 1980s. Asked by an elderly doctor (who himself was young in the 1960s) if I was playing around with the nurses, I replied, "Not really." He shrugged, then said, "Well, that's what they're there for."

The nursing profession's response to this abusive behavior was to rid itself of even the trappings of womanliness. During the 1980s, for example, some of the older nurses still wore skirts, which is how most nurses once dressed. The younger nurses switched to unisex pantsuits. In the operating room, both doctors and nurses began wearing the same scrubs—blue trousers and smocks—giving the whole theater an androgynous feel. All sense of "otherness" was eliminated, and young male doctors eventually learned to treat nurses as co-professionals rather than as sex objects.

Among the older generation of doctors who trained in the 1960s, there were still those who saw nurses as people to be pinched and squeezed. And many nurses simply took these men in stride, and let them pinch and squeeze, even though

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such behavior was considered unacceptable among younger doctors. The nurses jokingly concluded, "That's their way." All they could do was wait for this generation of doctors, and their abusive sensibility, to die off.

The effort to "de-sex" nurses has contributed to a phenomenon rarely analyzed in books, but much discussed among nurses in casual conversation. When asked if doctors are still marrying nurses, many nurses shrug and say, "No, they marry other doctors." If first-year nursing students admit that a major reason they went into nursing was to marry a doctor, the older nurses warn them that such a match is probably beyond their grasp.

Why are male doctors no longer marrying nurses? Male doctors confess that the more nurses lose their feminine markings, the more they lose their allure. Doctors see nurses as austere, almost mechanical beings who pull the levers of the enormous hospital engine. By expunging the nursing ideal of both its virtue and its sexual components, and training male doctors to think that any sexual attraction felt toward nurses is a degrading emotion, the nursing leadership has erected a barrier in their imaginations.

The increasing number of women doctors has certainly contributed to this trend. Almost half the medical students in the United States are now women. Young male doctors can meet women who understand the trials of a medical education, and who can also bring home a large paycheck. Social class probably also plays a role insofar as male doctors seek to wed someone of a similar background. Female doctors have another advantage over female nurses: They are not hobbled to the degree that nurses are by the commandment to sanitize their sexuality. They feel free to wear more feminine clothing in their rounds, and occasionally send attractive photos along with their job applications. Few nurses would feel confident enough in their professional status to do likewise.

The most tense relationship in medicine now is in fact not between male doctors and female nurses, but between female doctors and female nurses. Reports of insubordination are legion, as female nurses sometimes refuse to take orders from female doctors, and female doctors and nurses accuse one another of disrespect. Among some female nurses, there is a

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fear of being thought of as redundant personally and professionally, a dread that betrays itself in sarcasm and obduracy. The irritation and contempt that some female doctors show toward nurses only exacerbates this despair. To some female doctors, it is as if nursing signified an earlier, more primitive stage in women's evolution. The nursing leadership adds to a young woman's confusion and self-doubt, telling her that she has no need for any special feminine qualities. It is thus no surprise that few women enter this arena with enthusiasm.

Class division

Many women once looked upon nursing as the perfect part-time job. They worked a few days a week to help their families, while their husbands remained the primary wage earners. Nursing is still a convenient part-time job. But the economic status of women has dramatically changed over the last 50 years, such that what was once a great advantage is now less so.

Convenient, part-time work for women was popular during an age when over half the families in the United States (and in Western Europe) were two-parent families with children. Now less than 25 percent of families are. Many women either live by themselves or raise children alone. Today's nurses often must extract an entire family's income from their jobs. And they can, but only by working the worst shifts—nights, holidays, and weekends. Most hospitals reimburse for such hardship posts, but for many nurses—especially those who are single mothers—these time shifts can be physically painful and psychologically grueling. Women need to work these shifts to provide for their families, but, as a consequence, they find they have little time to spend with their children.

Nursing itself is becoming divided as a profession because of this desperate situation. Many nurses have signed up with independent agencies to regain a flexible life style. A nurse lets the agency know when she can work, and the agency assigns her to one of the local hospitals, often reimbursing her at a higher rate than the hospital would if it employed her directly. In some hospitals, almost 40 percent of nurses are now with an agency. But because not all agencies provide

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benefits like health insurance, and most are unable to guarantee a nurse 40 hours of work per week, single mothers with children find it too risky to leave their permanent staff positions. Middle-aged divorced women seem equally hesitant.

Today, one hospital, even one operating room, can have two nursing populations. Agency nurses are often young women without children who may be attending school in their spare time. Another subset includes older women close to retirement, with grown children, who simply want to keep a hand in nursing. Staff nurses are frequently single women with young children, or middle-aged divorced women living on their own, who see before them 20 years of exhausting toil. They are tired, and envy the agency nurses. A staff nurse who leaves the hospital one day and returns an agency nurse the next is often treated like someone who has just won the lottery.

When nurses flee to the agencies, those who remain must pick up the slack, which means even more mandatory "volunteering" on nights and weekends. Staff nurses become increasingly demoralized, despite being well-paid, for they know that their good pay comes from doing the work that no one else wants to do. To make up for the labor shortage, hospitals sponsor visiting nurses from the Philippines and Ireland, which depresses staff nurses even more. They feel that they are working in jobs that no self-respecting American would consider.

The hospitals are not completely at fault. In most jobs, the troubles of single women with children, or divorced women living on their own, can be diluted in a sea of male coworkers. But nursing is the one job that is overwhelmingly female, causing a large number of women in difficult situations to be concentrated in one profession. Hospitals have an enormous problem, and limited flexibility to manage it. Tight health-care budgets prevent them from paying nurses more. Hospital services are essential, and so cannot be cut back. In addition to causing many nurses to leave the profession, such conditions inevitably affect prospective applicants. Young women see unhappy nurses leading difficult lives, and choose to pursue other careers.

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The new spirit of caring

Many nurses experience what is described as "burnout." The three components of burnout are emotional exhaustion, depersonalization (i.e., a lack of sympathy for one's patients), and the absence of a feeling of personal accomplishment. The problem is most serious among intensive-care-unit and emergency-room nurses, but it is increasingly common among ward nurses.

The causes of emotional exhaustion are self-evident: long hours, inadequate resources, demanding patients, and mediocre pay. While nursing has always been a difficult job, several new factors make it even more so. Because managed care demands that healthy patients be discharged quickly from the hospital, the patients remaining are generally sicker and older, and more difficult to care for. At the same time, today's nurses face an incredible amount of paperwork. Having to fill out time sheets, medication sheets, administrative records, clothing lists, and checklists (just for starters), all while taking care of extremely sick patients, is very stressful. One nurse complained to me, "I have just enough time to choke some pills down their throats, and throw a tray of food into their rooms."

The causes of depersonalization and a lack of fulfillment among nurses are more complex. They are tied up with the evolution of the caring professions. Before caring became a secular profession, it was a religious calling in which everyone took some part. Caring for the sick was not parceled out to specialists but was the responsibility of the entire community. With the emergence of psychology, social work, and psychopharmacology, caring became an area of study and eventually a technique. Methods were devised to teach it, and schools sprang up to promulgate it.

But true caring depends on the caregiver's possession of certain kindly feelings—feelings that no amount of schooling can evoke. Fortunately, psychologists and social workers understand this. Over many years, I have asked caring professionals if the connection they make with their patients is grounded in scientific theory and the methods they learned in school, or in their natural instincts for service and friendship. Every one of them said that this connection, along with the

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advice and wisdom they offer patients, originates in the latter. Theory is only a useful guide.

The health-care system allows psychologists and social workers enough time to develop a true caring relationship with their patients, and to gain fulfillment through such relationships. Doctors also have time for this, though less so now under managed care. In any case, most doctors consider themselves scientists, not caring professionals, and thus the response they feel toward patients depends less on feelings of friendship than a sense of technical accomplishment. This protects them against feelings of guilt and inadequacy when they fail to make an emotional connection with their patients.

Sadly, neither of these scenarios is true for nurses. Although they are caring professionals, nurses increasingly lack the time to forge real relationships with their patients, especially in critical care. Unlike social workers and psychologists, they also have strenuous physical duties to perform. At the same time, nurses lack the scientific background of doctors which might allow them to interact with patients more extensively.

Nurses are now often limited to the theory of caring rather than the practice. When a patient is admitted, a nurse performs a rapid psycho-social assessment, which is basically a checklist of how the patient is feeling. She then spends time chasing down lab numbers, managing the patient's drugs, running from monitor to monitor, and filling out forms—all while managing the most intimate aspects of a patient's existence. When signing out to another nurse at the end of her shift, she sums up the patient's state of mind in two or three sentences, despite the fact that she has not had the time to adequately assess it.

In this work environment, the nurse feels tremendously conflicted. She bathes, feeds, and medicates a patient, yet she does not really know the patient. She lacks any feeling of closeness or familiarity with the patient, although such things are expected of her as a caring professional. She has just enough time to care for the patient according to the theory of caring—for example, to use psychological terms in her daily progress note—but the whole enterprise is more like a counterfeit of true caring. She experiences guilt, embarrassment, and a sense of failure in her work. Oftentimes she quits.

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The third component of nursing burnout—a lack of personal accomplishment—is also rooted in the evolution of the caring professions. When caring had a closer tie to religion, it relied on ideals of self-sacrifice. Feelings of compassion were yoked to a belief that one should not think or worry too much about one's own happiness. Christian doctrine told people that if they cared for others without fearing for themselves, they would be able to endure the greatest privations.

In contrast, a degree of egoism penetrates the spirit of modern professional caring. Health-care professionals go into the business in part to feel good about themselves. But what happens when their profession no longer provides them with such a sense of self-satisfaction? The dean of my medical school once told me that those who go to medical school with the goal of saving humanity rarely make it through. To endure the long hours and exhausting toil, medical professionals need something more tangible to sustain them—for example, an intellectual interest in medicine or the dream of becoming wealthy.

Many nurses today are torn because they want to dedicate themselves to their patients yet find caring for them so burdensome. Inadequate resources, time constraints, and bureaucratic inflexibility infuriate nurses, partly because they are concerned about their patients, but also because these things rob nurses of a sense of fulfillment. The link between the profession of caring and a nurse's sense of self-worth is well-captured by those who have burned out. Poor work conditions "prevented me from accomplishing what I wanted to accomplish," or kept me from "being true to myself." One nurse told me, "I'm a perfectionist. If I can't do what I've been trained to do, I don't want to do it." She looked at caring as a form of self-improvement. She wanted to achieve her personal best as much as to help others.

According to one nursing journal, "The prime candidate for burnout is the nurse who strives for excellence in a toxic environment." Nurses have little control over their professional lives, since they are usually under the authority of doctors or hospital administrators. Lacking tangible work benefits, whether it be money, autonomy, or prestige, they may try to see caring itself as the way to happiness. When the

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system refuses to cooperate, the caring ethos turns from a source of personal accomplishment into one of frustration. Many nurses reach the end of their tether and resign.

No quick fixes

The crisis in nursing is fundamentally one of identity. It is captured in the problem of how to address a nurse. Take a hypothetical nurse named Anne Smith. Decades ago, physicians would have addressed her as "Nurse Smith," while ancillary hospital personnel might have called her "Miss Anne." Today, few doctors would call her Nurse Smith, since the formality creates a sense of distance. Both the nursing and medical professions prefer today's more easygoing relations between doctors and nurses, in part because the new friendliness conceals a more fundamental inequality that both find embarrassing. Better for a nurse to present herself to a doctor as a distinct individual and a potential friend. So the doctors address Nurse Smith just as plain "Anne." Yet the doctors are still addressed by their title of "Dr." Meanwhile, few hospital workers would address our hypothetical nurse as "Miss Anne," since "Miss" directly refers to her gender and violates the spirit of sex-neutral professionalism. Nurses thus go from having a different rank than doctors to having no rank at all. They go from being colleagues to nobodies, increasing the precariousness of their professional status.

To some degree, nursing is the victim of social forces beyond its control. The influence of individuals on the fate of nursing is weak while the power exercised by the new professional ideal, the changing status of women, and the evolution of caring is great. The nursing profession has been swept up in a cultural avalanche. Today's nurses are understandably weary, discouraged, and demoralized, and their leadership is looking for solutions. But to improve matters, nurses must first realize what has happened to their profession. At the present time, changes in public and health policy will have no great effect on the profession's fortunes. A new vision is needed.

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The problem with polling

ROBERT WEISSBERG

WOULDN'T it be wonderful to live life unencumbered by the laws of economics? Consumers could set their own prices, both guns and butter would be plentiful, and risk would have been banished like some ancient disease. This hope is obviously utopian, and history shows that disaster awaits idealists and demagogues who insist otherwise. Though all of us have our favorite economic theories and castigate our opponents as charlatans, some economic realities are indisputable. Imagine if an office seeker suggested that Congress amend the law of supply and demand to bring prosperity. Such a proposal would be laughable and surely not admissible in public discourse.

Or so it would seem. Yet an economics-free utopia does exist, and, most critically, it is politically consequential. This is the world of public opinion polling. When the public's desires for government social-welfare spending are assessed, pollsters in effect grant respondents diplomatic immunity against the laws of economics. The problem is not "loaded" questions

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concocted by partisans to secure some immediate political advantage. Every item in public opinion polls is fully certified by the survey experts who write the official textbooks and attend the professional gatherings. So secure is the grip of the polling establishment that even the economically literate occasionally take their polls seriously.

While wording details and the menu of alternatives vary, the poll's paradigmatic question is generally "Do you want the government (usually federal government or 'Washington') to spend more (or less or the same) to solve the problem of X?" Decades of applying this polling formula have confirmed that Americans are fervently attached to the social-welfare state. This is true both at the general level, for example, for spending more for education and health care, as well as for narrower, more controversial issues such as increased funding for AIDS research. Even Republican electoral victories cannot undermine this consensus regarding the public's generosity, though, to be sure, numbers do fluctuate with events.

The advantage of this polling method is the technical convenience for both pollsters and respondents. Terse repetitive questionnaire items coupled with fill-in-the-blank policy choices permit quick "advice" on dozens of issues via inexpensive telephone interviews, a major commercial benefit for sponsors of polls. Questionnaire writers need not master intricate policy issues when asking about "more money to improve health care." Unfortunately, however, ease of questionnaire execution and the extraction of economically sound policy counsel are inversely related. Polling's inattention to even the most elementary economic realities renders the collected data nearly worthless, yet unfortunately, politically significant.

A free lunch?

The most obvious economic reality ignored by today's pollsters concerns financial costs and the revenue necessary to fund government programs. Admittedly, pricing contentious entitlements can be arduous, and presenting this information to the unsophisticated is time-consuming. But these impediments do not justify discarding marketplace factors altogether. Even Soviet command economies offered at least some pricing. Imagine quizzing potential consumers about a new prod-

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uct without mentioning costs. Nobody would accept the results as useful. Yet this is what happens in surveys about government entitlements all the time.

With scant exception, conventional survey questions avoid any mention of the costs to the taxpayer. For example, a 1989 Gallup Poll (typical of those on this subject) asked whether school class size should be reduced to 15 students, an idea that, as expected, drew great support. Class size reduction is an extremely expensive venture, however, easily costing hundreds of billions of dollars nationally—a fact that the poll never broached. Sometimes expenditure levels are merely implied, with respondents free to imagine their own figures. The National Opinion Research Center, the University of Chicago's acclaimed polling organization, has long favored the "too much money," "too little," or "about the right amount" phraseology to assess desires for new entitlements. An even simpler (and more popular) format is just asking if the interviewee would be willing to spend "more," "less," or "the same" for the enumerated programs.

Excluding tangible costs from polls opens the door to immense mischief. Respondents may differ greatly in the amounts they have in mind when saying "more," no small issue since most political disputes revolve around how much to expand government programs. Moreover, these silently imagined figures might not be sufficient to accomplish the policy's stated objective. My own research using a national random telephone sample of 550 respondents into federal aid to reduce class size departed from this "more/less/same" convention. Respondents were merely asked, "How much would you be willing to pay for reducing class size to 15?" Confronted with even the idea of a bill calibrated in actual dollars, generosity wilted. Thirty-one percent of those favoring this approach refused to pay *anything* to bring it about, and only about a quarter agreed to pay the program's official cost (and even this figure is deceptive since the actual cost of the initiative is far more than its official price tag). Polls that substitute "more" or "less" for accurate estimations of costs are the equivalent of supermarkets using terms like "less than you think" or "great at twice the price." Imagine checkout counter howls when such vacuousness is translated into hard numbers. No business of that sort could possibly survive.

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A periodic variant on this format is using enticingly small, round numbers. For example, a 1992 Gallop Poll asked if respondents would personally be willing to spend $200 yearly to combat air pollution. Though this personalized format might appear more frank economically, and avoids the problems of presenting large, aggregate figures likely to be beyond the comprehension of ordinary citizens, actual practice is less encouraging. For one, these pollster-supplied numbers seem plucked from thin air and are seldom connected to actual policy making. In the above example, this $200 per taxpayer might appear achievable, and a bargain to boot. Nevertheless, if the Gallup organization had done the arithmetic, interviewees would know that this figure would in fact quadruple the entire budget of the Environmental Protection Agency (EPA) while boosting the average tax rate 3.6 percent. No EPA official would think to ask Congress for such munificence.

Going in the opposite direction—offering "great government benefits at only pennies a day"—can be more pernicious, even if the figures are tiny. The tactic is akin to seducing naïve consumers into crushing debt by formulating each unattached obligation in terms of "low E-Z daily payments." The poll's flawed design coaxes answers that are economically nonsensical. The proffered attractive outlay is never multiplied by the number of taxpayers to expose the total cost. Momentous outlays are thus easily hidden. Studies of the public's willingness to save the environment on the cheap often illustrate this possibility. One project reported that Americans would gladly spend $8.3 billion a year to save old-growth forests and spotted owls; another found that taxpayers are agreeable to allocating $32 billion to save whooping cranes. With the public offered a compendium of similar environmental catastrophes, each curable for $1.98 per taxpayer, the entire GNP might be spent on environmental protection. Plainly, such bountifulness is an artifact of enticing "do good" presentations, not a genuine policy preference.

Hidden costs

These examples raise a critical issue almost entirely ignored by pollsters—the disjunction between the "stand alone" survey option and total cost. The term "trade-off" seems un-

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known among those doing survey research. Each item is presented independently of all others and, unlike in the grocery store, a total bill is never forthcoming. The parade of enticing causes is implicitly connected by "and's" rather than "or's." Respondents are not encouraged to revisit their answers about programs for the homeless, given subsequent questions about national health care. Government's available revenue or statutory obligations go unmentioned.

Similarly ignored in the conventional survey are the marginal tax increases that would be required. The frequently asked question, "Would you be willing to spend $100 to improve education?" never tells would-be benefactors what this "small" amount adds to their tax burden. A properly conducted survey might ask for the respondent's tax situation and then proceed with, "You already pay $6,000 to the federal government. Would you want to make it $6,100, with a small donation to improve our schools? And while we're at it, how about another $100 to subsidize prescriptions for senior citizens?" And some for the homeless, too. No doubt, respondents' generosity would soon evaporate as they saw their disposable income shrink.

The marginal benefits that might be gained given existing expenditures are also rarely calculated. To continue with our education example, an economically sound question might inform the prospective benefactor that Washington already spends, say, $60 billion assisting the states, and then ask, "Would you like to add two or three billion more, which would work out to a few thousand per school district, and perhaps only a few dollars per classroom?" For the question to be most forthcoming, the respondent should be informed that this federal money is but a tiny portion of all government educational spending, and that academic gains derived from initial investments are unlikely to be equalled by gains from subsequent expenditures. That is, throwing another $100 per taxpayer into the education pot is a little like spitting into the ocean.

Narrow questions

If polls are murky on financial details, they are absolutely blind to nonmonetary costs. Ideas such as "externalities" and "opportunity costs," which are familiar to every Economics

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101 student, are absent from the survey universe. If one studied only polls to understand public policy, one would conclude that there were no potential downsides to federal expenditures. The only obstacle to nirvana is convincing the public to pay for surefire benefits. This is a world without Soviet-style public housing, antifamily welfare schemes, and out-of-control medical reimbursement programs. We are more careful about cigarette and wine bottle labels than we are about the way multi-billion dollar programs are presented to survey respondents.

What happens when respondents confront potential downsides? My own poll regarding federal aid to reduce class size mentioned the hardly radical idea of support being contingent on costs and benefits. Predictably, some 35 percent of supporters jumped ship when it was mentioned that this program might only "occasionally" be successful. The possibility of serious cost overruns likewise diminished enthusiasm considerably. Told that cutbacks in art and music might be necessary to make classes smaller, 70 percent of those initially endorsing smaller classes reversed their position. After initial backers were told that only half of the newly hired teachers were likely to be qualified, a mere 15 percent continued their support. This prudence is hardly surprising; what is appalling is that this "warning label" is wholly absent in the conventional poll.

A less obvious, but no less escapable, economic principle that is frequently ignored in polling is substitutability: Buy margarine if butter gets too dear. In the case of improving education, more federal aid is only one possibility among many alternatives. The question should be, "How would you like to improve education?" not the far more constrained: "Should the federal government spend more on education to improve it?" Those who want to improve education should have choices other than Washington's financial intervention.

In fact, when offered a fuller menu, enthusiasm for the made-in-Washington, hire-more-teachers option diminishes. Among those who had already endorsed hiring new teachers, some 83 percent said that upgrading teacher training is preferable, while a clear majority (54 percent) favored a tax-free savings account over reducing class size. (Interestingly, among

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those previously favoring more hires, 22 percent said that schools should solve their own problems without additional money.)

The political ramifications of this discovery are noteworthy. Questions about reducing class size through government subsidies for additional teachers were polling staples throughout the 1990s and undoubtedly encouraged President Clinton to push this idea in his 1998 State of the Union address. With support for this notion fluctuating around 83 percent, it seemed a partisan no-brainer. Yet the great popularity of this proposal was deceptive. More likely, the introduction of government subsidies was only one of multiple acceptable solutions, and certainly not the most preferred.

These garden-variety social-welfare questionnaire items, to the extent that they reflect any economic viewpoint, seem wedded to a nonfree market, or even feudal cosmology. Questions always follow the format of "Should the government spend more/less/same?" That the identical goal might be accomplished more efficiently by nonstate action is entirely off the menu. To reject government intervention is to implicitly reject improvement. Imagine the interviewer being told, "Yes, I favor helping education, and this is best accomplished by Washington getting out of it entirely." Or, alternatively, "Yes I support government assistance only if raising the necessary taxes brings benefits that exceed the cost." Both responses will be coded "other" and consigned to the pollsters' version of history's dustbin.

Finally, the conventional poll prohibits sub-optimal choices. Surveys create a world consisting only of first choices, untouched by compromise and bargaining. If, for example, a respondent agrees that spending $200 a year to reduce air pollution is desired, it is assumed that this is the public mandate—$200. Anything less contravenes the *vox populi*. Yet even if this pollster-supplied figure were what people truly wanted, they might also accept far less if it were politically necessary. More generally, for a poll to treat an expressed preference as *the* desired outcome preordains sizable disjunctions between public desires and what government can provide. In effect, questionnaire formulators become policy arbitrators—had Gallup decided that $300 per taxpayer was necessary, and a majority

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similarly agreed, then the demand would have been for $300, nothing less. Do we really want pollsters, most of whom lack any policy expertise, deciding requisite funding levels?

Technical reforms

Can future social-welfare polls incorporate elementary economic principles such as cost-benefit analysis? The answer would appear to be "yes"—just tutor the pollsters or, better yet, let economists rewrite questionnaires. Sad to say, however, the problems with polling are not easily remedied and may be unsolvable even if confronted seriously. The political consequences of this failure are considerable.

Pollsters face compelling financial constraints in bringing their product to market. Polls cost money, and the industry itself is highly competitive with hundreds of rivals. The singular virtue of these stand-alone, limited-option format questions is their cheapness. They are easily written (just fill-in-blank for the latest policy), easily asked by minimally skilled employees mechanically key-stroking responses into computers, easily analyzed given the paucity of alternatives and, perhaps most critically, easily grasped by audiences with short attention spans. "Do you want the government to spend more/less/same on education?" may generate virtually worthless information, but this is the marketplace standard.

A few thousand extra dollars would cure nothing. Substantive improvements would quadruple costs and convert a quick public pulse-read into a major time-consuming research project. In my study on reducing classroom size, formulating precoded policy liabilities and then leading respondents though these dilemmas added hundreds of hours to the project, and while my time was "free," the survey organization is handsomely paid by the hour. Establishing the initiative's true costs, beyond the government's misleadingly low figures, was a Herculean task. Dozens of other quandries had to be solved in order to insert the most elementary economic realism. Moreover, these untold hours concerned but a single question, and polling organizations must ask dozens per poll and conduct several polls per month. Only the federal government could afford such a gold-plated approach.

Nor is there a financial advantage to be won by bringing

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this superior product to market. Would CBS News gain new viewers by offering "economically informed polls" versus the competition's cruder version? Even advocacy groups using polls as ammunition would find this deluxe strategy cost-ineffective. Few clients or public officials are likely to appreciate the difference, and political advantage can usually be accomplished more cheaply by manipulating question wording.

Will adventuresome scholars abandon this flawed polling technique? Judged by what transpires at university-based survey organizations and leading journals, the answer is decidedly "no." The prevailing approach is to apply ever more high-powered statistical techniques to squeeze ever more "meaning" from these quick-and-dirty items, rather than upgrading the quality of the questions.

The task's technical nature similarly counsels pessimism. Even if commercial pollsters sought to be economically realistic, polling experts are clueless about implementing improvements, and this may be a permanent condition given lack of interest among survey professionals. Consider the resistance to just two improvements—the inclusion of economic information on cost and the inclusion of trade-offs. As we have seen, pollsters generally slide by costs by asking, "Would you pay more" or something equally uninformative. Nevertheless, one small group of economists within the polling fraternity has attempted to assess public generosity more rigorously, by using a technique called the Contingent Valuation Method (CVM). These efforts are unknown among conventional pollsters, but if there is to be a breakthrough in presenting the public with realistic information, CVM is the Great Hope.

CVM offers the respondent detailed, factually accurate information about a proposed program—its current funding level, how funds are to be raised, available substitutes, and other worthy claimants on public funds—the kind of information that a responsible legislature would consider prior to authorization. This more realistic cost may even be tied directly to an interviewees' personal tax situation. A few studies have pushed this realism to extreme lengths, for example, showing "before-after" pictures to demonstrate a program's value. Others have translated huge numbers into more readily grasped visual displays. Willingness-to-pay (WTP) is then carefully

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gauged using realistic increments. Finally, a few studies test validity by using populations actually familiar with the proposed benefits—e.g., asking hunters about wildlife-conservation programs.

Unfortunately, despite this effort, progress has been uneven at best. Critics of CVM observe that results fluctuate with apparently minor changes in the questionnaire. More disturbing, occasional occurrences of extravagant bigheartedness seriously challenge whether realistic preferences are indeed being assessed. It may be that CVM, like simplistic garden-variety polls, only taps the public's desire to favor "good things" and that expressions of WTP are merely the handy vehicle for this compassion.

Still, even if CVM can be technically perfected, the pollster is not thereby transformed into the tax collector, and the interviewee knows that the survey is only that, and therefore absolutely cost-free. Economists have long observed that incumbents suffer electoral losses for raising taxes, and participation in voluntary contributions via tax forms is likewise quite low. The public's generosity could be better tested by telling survey respondents that a collection agency will be visiting the respondent's home soon to take the money for augmented national health care.

Computer models

Like putting costs on benefits, making trade-offs among competing benefits is an inescapable fact of economic life. But like inserting realistic costs, this exercise is seldom included in the pollster's repertory. As with CVM, the costs to the pollster far outweigh the benefits, and even conscripting the latest technology offers scant assistance.

The 1970s saw a flurry of efforts to conquer the trade-off problem through something called the "budget pie." Though variants eventually grew complicated, the essential format was a "game" in which respondents allocated funds across a few (usually three to five) policy domains, such as fire protection, policing, and education. Poker chips, pegs in holes, and other visual representations were routinely used. Tasks were usually supervised and accompanied with on-going advice in laboratory settings. In a recent Internet-based variation, respondents

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allocated funds among 12 categories to reach a $1,000 federal budget. Critically, the spreadsheet program automatically "guaranteed" a balanced budget to restrain respondents' kindness.

The results have scarcely been encouraging. Their time-consuming character alone makes these techniques largely unsuitable for the telephone poll. There is also the question of whether a three- or five-item "budget" with such broad categories as "education" offers anything of value politically. Still, especially among the less educated, even the simplest make-a-budget exercise using familiar topics with ample instruction proved too difficult. As many as a third simply could not execute allocations as prescribed. Significantly, better-educated respondents experienced comparable difficulties when the exercise was presented over the phone. This was confirmed in my own study, which purposely over-sampled the well educated. Regardless of ample interview guidance, many were stymied when trying to allocate $20 billion among basic government-expense categories.

But what about the computer program that guarantees a balanced budget? Since respondents could not override the software, it produced genuine, if politically irresponsible, results. On average, respondents would slash defense spending by 24 percent, up education funding by 45 percent, and increase support for job training by 128 percent and UN peacekeeping funding by a whopping 218 percent. While this trade-off exercise might nominally conform to economic necessity, it yields a budget far removed from U.S. political realities. Technology cannot surmount political ignorance, and the choice of categories gives enormous and unjustifiable power to the polling researcher.

These failures do not necessarily say anything about the public's economic competence. Price and trade-off decisions are ubiquitous in the marketplace. The fault lies with the surveys. It is simply not possible to make them reflect economic and political reality.

The politics of polling

The problem with most polling surveys goes beyond technical insufficiencies. When pollsters push aside elementary economics in extracting popular approval for increased social-

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welfare spending, they are, purposely or not, engaging in a political act, a coloring of public discourse to achieve an ideological end. The arrangement can be thought of as a *ménage à trois* among polling practitioners needing a fast, low-cost product to sell, poll-users who appreciate these quick results, and scholars who transform the flawed but serviceable product into research publications. What limits dissatisfaction is the comfortable liberal political message invariably sent by these *vox populi* findings. Welfare entitlements and other federal spending are certified by an entire industry of technically sophisticated professionals to be popular with the public. This is powerful ammunition in the war of ideas. The message may be based on a problematic science, but who wants to dispute ideologically welcome news?

The thousands of well-publicized social-welfare polls, all bereft of any economic constraint, create an apparently rock-solid portrayal of mainstream public thinking. To strengthen this consensus, pollsters declare this exercise to be the ultimate democratic message, one that even outranks elections as the popular mandate. Though this claim is as dubious as the messages derived from these surveys, the consensus can be overwhelming. Skeptics fight an uphill battle against practitioners who claim to speak for the people and who defend their labor with treatises replete with intimidating lower-case Greek letters. Polling on social-welfare issues, almost regardless of technical details, is best likened to the "house" in gambling. The advantage is built-in, and is perfectly legal according to the industry's rules. The secret is to banish even the most basic economic principles. And when these are ejected, citizens really do have their utopia, at least in the pollster's world.

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The forgotten T.R.

JEAN M. YARBROUGH

EXACTLY 100 years after he became, at the age of 42, the youngest man ever to be sworn in as president of the United States, interest in Theodore Roosevelt is experiencing an unprecedented revival. Former Speaker of the House Newt Gingrich loves Teddy; so does President Bush's campaign strategist, Karl Rove. Across the aisle, House Minority Leader Richard Gephardt sings his praises, while former president Bill Clinton, tutored by *Washington Post* columnist and T.R. aficionado E. J. Dionne, sees him as a model for the exercise of energetic executive power.

Still, no politician has identified himself so directly with the Bull Moose as Republican war hero John McCain. Throughout his bid for the Republican nomination in 2000, McCain lashed out in the manner of Roosevelt against the special interests that he claimed were corrupting American politics.

This essay is adapted from the author's Inaugural Lecture as Gary M. Pendy Sr. Professor of Social Sciences in October 2001.

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Through his support for campaign-finance reform, national service, and through his fervent love of country, McCain sought to renew in his fellow citizens, and especially the young, a sense of patriotism, duty, sacrifice, and honor. McCain's candidacy gained considerable momentum from a group of maverick intellectuals and journalists on the right, most notably, William Kristol and David Brooks. In a series of articles and editorials in the *Weekly Standard*, these self-styled advocates of a "national greatness" conservatism supported McCain's candidacy and helped fan the Roosevelt revival. What they sought was a plausible Republican precedent for the vigorous exercise of national power and an alternative to the libertarian and big-business drift of the post-Reagan party establishment. Even after Bush's narrow victory, they continued to rail against the GOP domination by "special interests," and to criticize what they viewed as the growing isolationism of the Republican establishment.

Circumstances changed suddenly and dramatically on September 11. With George W. Bush adopting a more activist foreign policy and the nation rallying behind the president in time of war, McCain and his intellectual backers threw their support behind the president. But their goal has remained the same: To develop a set of domestic and foreign-policy initiatives that will capture the public imagination and complete the Reagan revolution by creating a permanent Republican majority. In their think tanks and Web sites, one appropriately named "Bull Moose," these conservatives urge the president to take a leaf or two out of T.R.'s Progressive playbook. The public seems equally enamored of Roosevelt, and has made the second installment of Edmund Morris's projected three-part biography of the twenty-sixth president a national bestseller. How can we explain Teddy Roosevelt's renewed appeal to citizens and politicians alike? And is a return to T.R.'s political principles what is most needed today?

The manly virtues

Part of the fascination with Roosevelt has always been his larger-than-life personality. A child of established wealth who found glory in cultivating the "iron" virtues of a sterner era, Roosevelt had nothing but contempt for the Gilded Age, when

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capitalist entrepreneurs such as J. P. Morgan, John D. Rockefeller, and Andrew Carnegie far outshone the second-rate politicians of the day. "Purely commercial ideals," Roosevelt wrote, were "mean and sordid," producing weak and fearful men, "incapable of the thrill of generous emotion," and lacking in the capacity for nobility and greatness. The things that stirred T.R.'s romantic soul were different. He adored politics and the physicality of ranching. He organized and lead the volunteer cavalry regiment of Rough Riders in Cuba. He excoriated his enemies in the most colorful terms—"mollycoddle" and "goo-goo" (short for good-government types) were two of his more memorable neologisms. Roosevelt took on the trusts and their powerful heads. A frank advocate of American power, he led the construction of the Panama Canal and sent the Navy around the world for the first time. His energy seemed never to flag. He shot big game in Africa, explored the then-uncharted Amazon River, and fathered many healthy children, delighting in their antics.

These aspects of Roosevelt's life have enduring appeal. But there are also significant parallels between his time and ours that help to explain his popularity today. The closing decades of both the nineteenth and the twentieth centuries were periods of enormous wealth creation and consolidation. In T.R.'s day, these tendencies prompted worries about the power of money and special interests to corrupt republican government, and the disinclination of the nation's leading citizens to do anything about it. Well-bred young men from respectable families regarded the rough and tumble of democratic politics as beneath them. In the decades following the Civil War, few men of the upper class concerned themselves with politics at all, and those who did were mostly, in Roosevelt's words, "well-meaning little men, with receding chins and small feet," zealous and idealistic, but totally ineffectual. Or, as George Washington Plunkitt memorably described them, they were "dudes that part their names in the middle."

Roosevelt set out to change all that when, fresh out of Harvard in 1880, he threw himself into ward politics in New York City and shortly thereafter was elected to the state legislature. Almost immediately, he made news by exposing the rampant bribery and extortion in the legislature. By standing

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up to the machine politicians and "special interests" that dominated New York politics, the young Roosevelt made politics once again respectable for a whole generation of eager reformers. In an era dominated by laissez-faire ideology, Roosevelt thought politicians could actually do something to make life better for the average citizen, and he had a rollicking good time trying.

As a wealthy New Yorker and an admirer of Alexander Hamilton, Roosevelt might have been expected to take a more sympathetic view of the kind of character produced in the commercial East. But in numerous speeches and shorter essays during the 1880s and 1890s, Roosevelt cast the prosperous East Coast as the symbol of all that was decadent and effeminate in post-Civil War America. In "The American Boy," Roosevelt invidiously compared the ways in which wealthy eastern lads amused themselves, such as playing billiards, with the rude but virile education of the frontier boy. And in "The Manly Virtues and Practical Ideals," written after his own transformative adventures in the West, Roosevelt opined that Americans must "be vigorous in mind and body, able to hold our own in rough conflict with our fellows, able to suffer punishment without flinching, and, at need, be able to repay it in kind with full interest." Such virile traits were precisely what a "peaceful and commercial civilization," rendered "cautious and timid," was all too inclined to dismiss. Living in a rougher age, pioneers, frontiersmen, and cowboys instinctively knew that they must cultivate the "manly virtues" or perish. The task confronting Roosevelt's "softer" age was to find some way to keep these qualities alive when the immediate necessity for them no longer existed.

Roosevelt's response was to encourage the manly virtues by all available means, including stints in the Wild West and participation in rough intercollegiate sports such as football. (Not surprisingly, he regarded the rise of spectator sports as another sign of American decadence.) All this play was but preparation for the supreme test of manhood—battle, which Roosevelt experienced firsthand in Cuba during the Spanish-American War. When World War I broke out, the aging Roosevelt sought to organize another volunteer regiment along

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the lines of the Rough Riders, but had to content himself with seeing all of his five sons march off to war, one of them never to return. On hearing that his son Quentin had been killed, T.R. wrote to his son Archie: "He died as the heroes of old died: as brave and fearless men must die when a great cause calls. If our country did not contain such men it would not be our country."

Vigorous policies

As a Republican reformer, Roosevelt was not simply concerned about the genteel decadence of the upper class. He also worried about the effect of unbridled capitalism on the the poor, and especially those recently arrived in America. Beginning with his earliest efforts to outlaw the manufacture of cigars in tenement apartments in New York City, Roosevelt's reform efforts were aimed at making it easier for the average man to support his family and to participate in civic life. He understood why the working classes remained loyal to their local ward heelers and political machines, but he tried to show them that reform Republicans could also work for their interests, and with far less corruption of the political system.

The last decades of the nineteenth century were a time of enormous social upheaval. The country struggled over questions involving safety in the workplace, minimum-wage and maximum-hours legislation, and women's rights, and anxiety grew about the decline of family life and moral virtue. A Progressive on political and economic questions, Roosevelt retained Victorian attitudes about family and moral matters, decrying the rise in divorce and the loosening of sexual mores. For Roosevelt, it was axiomatic that no nation could achieve greatness unless its family life was sound. "If we fail to appreciate this, we fail to appreciate the root of morality on which all healthy civilization is based," he declared.

Immigration was also rapidly transforming American society at the beginning of the twentieth century. For the first time, Americans had to deal with a large influx of immigrants from eastern and southern European countries, who did not speak English, and who were Catholic and Jewish rather than Protestant. Roosevelt responded to this challenge by insisting

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that all immigrants be assimilated in language and culture as quickly as possible. By assimilation, Roosevelt meant a willingness to learn English (he wanted to deport immigrants if they had not learned English in five years), adapt to American culture (he deplored what he called the hyphenated-American), and, by the third generation, to intermarry. When it came to violent criminal behavior by foreigners, Roosevelt was adamant: "They and those like them should be kept out of this country, and if found here they should be promptly deported to the country whence they came."

Roosevelt also responded to the challenge of industrialization by accepting unequivocally the new economic order, while making the case for a greatly expanded national government to regulate the trusts in the name of the public good. The alternative, put forth by Woodrow Wilson and the Democratic party, was to break up the trusts in an effort to restore competition and revive the mid-nineteenth century market of small enterprises. But Roosevelt believed that these large trusts and corporations offered considerable economies of scale, and was generally unwilling to see them broken up—unless, like the sugar, tobacco, and oil trusts, they were engaged in criminal conspiracies or fraudulent activities. Though public opinion tended to side with the trust-busters, Roosevelt believed that the more efficient approach (and efficiency was *the* Progressive virtue) was to establish independent federal regulatory commissions that would compel the trusts to serve the public interest.

On the institutional front, America's political parties were moribund. As Roosevelt frequently noted, the Republican party was first formed out of opposition to the extension of slavery in the territories. Back in the days of Lincoln, the party stood for something more than mere economic interests; it was animated by a high moral cause. But during the post-bellum period, the Republican party had lost its sense of moral purpose and fallen into the mundane, Whiggish task of promoting the economic interests of the business classes. Roosevelt tried to revive the moral idealism of the Republican party by hitching it to the cause of political and economic reform. When he failed to win the party's endorsement in 1912, he broke with the Republicans and formed his own Progressive, or Bull Moose, party.

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The steward

Another explanation for Roosevelt's appeal today is his expansive theory of executive power. Roosevelt saw the president as the "steward of the people," with the right and the duty to do whatever the needs of the nation required, unless such action was specifically prohibited by the Constitution or congressional law. The idea of "stewardship" meant that the president would no longer need to cite a specific grant of power to justify his actions. Unlike previous executives, Roosevelt would not content himself with the negative virtue of not doing harm when he was convinced he could accomplish so much good. This was a novel reading of executive power, and one that paved the way for the gradual transfer of the source of presidential authority from the Constitution to the people.

As "steward of the people," Roosevelt argued that the national government must have the power to curb monopolies. In the landmark *Northern Securities Case* (1903), he persuaded a divided Supreme Court to uphold this interpretation. Thus fortified, he took on—and vanquished—the major trusts of his day, including tobacco, sugar, and oil. Stewardship allowed the government not only to intervene to punish unlawful monopolies and criminal conspiracies but to use its powers to regulate private industries like meatpacking, or mediate disputes, like those in the coal-mining industry, that affected the public welfare. Roosevelt was not a fan of trust-busting; he favored relying on federal regulatory commissions comprised of disinterested experts. He tended to regard competition as an historical relic, and looked on cooperation between business and government as the wave of the future.

After winning reelection in his own right, Roosevelt felt free to press his more expansive theory of executive power still further. His Annual Message of 1905, the first of his second term, unleashed a flurry of legislative proposals, including pure-food, meat, and drug-inspection laws, government supervision of insurance companies, government investigation of child labor conditions, employer-liability laws for Washington, D.C., and a proposal to give the Interstate Commerce Commission power to regulate railroad shipping rates.

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This last proposal, which Roosevelt signed into law as the Hepburn Act in 1906, arguably laid the foundation for the modern regulatory state. By the end of his second administration, Roosevelt was calling for graduated income and inheritance taxes and was criticizing the judiciary for being too subservient to corporate interests. Roosevelt continued to affirm that the purpose of government was to secure the rights of the individual to life, liberty, and the pursuit of happiness. But he reinterpreted these rights in the light of changed economic and social conditions: "The rights of the worker to a living wage, to reasonable hours of labor, to decent working and living conditions, to freedom of thought and speech and industrial representation." To secure these rights, the federal government must assume a far more expansive role.

In what became one of the hallmarks of his administration, Roosevelt invoked the stewardship theory to justify the use of federal power to conserve America's natural resources. During his presidency, the federal government acted to establish the national park system, along with wildlife refuges and national monuments. Yet unlike many of today's environmentalists, Roosevelt did not seek to bar private corporations from developing public lands. Instead, his conservation efforts were aimed at ensuring that these resources were developed so as to increase their future usefulness and at making sure that the public received fair compensation. Closely related to these efforts was Roosevelt's belief that stewardship carried with it an aesthetic dimension: America should display its greatness in public buildings, sculptures, monuments, coins, and medals. Accordingly, he commissioned Augustus Saint-Gaudens to design a new system of coins for the federal Mint that he judged "more beautiful than any coins since the days of the Greeks." He also appointed a Fine Arts Council, consisting of artists and architects, to "advise the Government on the erection and decoration of all new buildings," and commissioned artists to design national medals and public buildings in Washington. Roosevelt justified these actions as adding "to the beauty of living and therefore to the joy of life."

Finally, stewardship found its expression in Roosevelt's muscular foreign policy, though there was more of a constitutional

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warrant for the vigorous exercise of executive power in this area. Although Roosevelt detested boasting, he made it clear to other nations that the United States would always be ready to back up its words with actions. He was guided by the maxim: "Speak softly, and carry a big stick." As president, he reaffirmed and expanded the Monroe Doctrine not only to bar European meddling in the Americas but to justify intervention by the United States throughout the Western Hemisphere. Pursuant to this idea, which became known as the Roosevelt Corollary, T.R. dispatched American troops to Santo Domingo and the Isthmus of Panama, then under the control of Colombia. After securing Panamanian independence, the United States entered into a treaty to construct and administer the Panama Canal. In recognition of America's growing power, Roosevelt was asked to mediate the end of the Russo-Japanese War and, for his efforts, became the first American to win the Nobel Peace Prize. To crown his foreign-policy achievements, in 1907 the commander-in-chief dispatched the Great White Fleet on a worldwide cruise to win popular support for the administration's ambitious naval build-up and to demonstrate the power of the American naval forces to the world.

A man for our times?

It is not difficult to see why the presidency of Teddy Roosevelt resonates today. His statement at the outbreak of World War I that "the things that will destroy America are prosperity-at-any-price, peace-at-any-price, safety-first instead of duty first, the love of soft living and the get-rich-quick theory of life" seems startlingly relevant now that the prosperous, triumphant 1990s have collapsed in an economic scandal and a devastating terrorist attack. By his forceful rhetoric and personal example, Roosevelt reminds us that what counts most "in the great battle of life" is not riches, intelligence, or bodily perfection, but character, and above all, "courage, perseverance and self-reliance."

Furthermore, during the past decade as in the late nineteenth century, there had arisen a feeling that our political parties had retreated from large ambitions and were pandering shamelessly to their narrow bases, as well as their wealthy

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donors. Critics complained that the Republican party had not taken a principled stand since Ronald Reagan confronted the "evil empire." In recent years, the party had been accused of drifting toward isolationism (in opposing United States action in Kosovo), and of selling out to its corporate donors (especially in its relationship with China). In domestic matters, the party seemed to deny any role for government in improving the lives of its citizens. Nor did the Democratic party seem to stand for any significant moral principle. "Triangulation"—the political strategy associated with Clinton—is "small politics" writ large. Candidate Al Gore failed to persuade Americans that he possessed any vision at all. The appeal of a figure like Roosevelt, who fought corruption, reinvigorated the party system, and took on bold, principled projects is clear.

It is also not difficult to see why "national greatness" conservatives in particular are enamored with the Roosevelt presidency. The T.R. revival is a means for these maverick Republican intellectuals to break the crippling grip of libertarians on the party's domestic policy and corporate interests on its foreign policy. One of the GOP's perennial challenges is persuading skeptical middle- and working-class voters that it is not just the party of the wealthy. Roosevelt's progressive regulations offer a model for escaping the taint of corruption and capturing the hearts of the working class. At the same time, national greatness is a way to channel the powerful impulses of religious conservatives into a more inclusive civil religion. Moreover, Roosevelt's assimilationist immigration policy, coupled with his zero-tolerance for acts of political violence by noncitizens, provides a positive alternative to multiculturalism in a time when Republicans struggle to attract immigrant voters.

The events of September 11 have given strength to the efforts of national-greatness conservatives to endow the president with an expanded mandate abroad and to allow a more energetic governmental presence domestically. More generally, the terrorist attacks have promoted a renewal of patriotic pride and social solidarity. National-greatness conservatism seems ascendant in the Republican party and perhaps the country at large. But is the Roosevelt revival something Americans, and Republicans in particular, should welcome?

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The dark side

Although there is something undeniably attractive about Teddy Roosevelt, and never more so than in time of war, there is also something decidedly odd about the Right's (even the maverick Right's) embrace of him. In theory and in practice, Roosevelt's views display a hostility to both the Founders' understanding of the political principles that underlie republican self-government and to the principles of the Republican party as articulated by Roosevelt's hero, Abraham Lincoln.

It is sometimes said (by Republicans) that there are two Roosevelts, a "good" Republican reformer, and a "bad" Progressive crusader—the first, the author of *American Ideals* (1897), the second, of the radically different *Realizable Ideals* (1912). This distinction is true, as far as it goes. But it is a mistake for modern Republicans to admire too much even the early Roosevelt. For although the young Roosevelt did esteem the constitutional system established by the Framers, and especially the strong nationalists at the Constitutional Convention—George Washington, Alexander Hamilton, and Gouverneur Morris—he fundamentally rejected their individualist view of human nature and politics, favoring instead a Darwinian and racialist reading of American history.

Perhaps nowhere is this clearer than in his early historical studies, where Roosevelt defended the policy of unlimited westward expansion known as Manifest Destiny. In contrast to both the Founders and Lincoln, who expressed doubt about how far free republican institutions could be extended, especially as the United States expanded into the Southwest, the young Roosevelt had no such qualms. In his 1886 biography of Thomas Hart Benton, the Democratic senator from Missouri most closely associated with this policy, as well as in his two-volume history of American expansion, *The Winning of the West* (1889), Roosevelt not only defended Manifest Destiny, but did so in unapologetic Darwinian terms. It was both inevitable and desirable that these brawling westerners should seek to swallow up the lands occupied by nations or races too weak to resist, he argued. Such expansion was "part of the order of nature." In Texas, the Mexicans proved no match for the virtues of that "barbaric race" of frontiersmen, who, "careless of

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the rights of others," looked on the possessions of the weaker races as their "natural prey."

Roosevelt's treatment of the American encounter with native Americans was equally unsentimental. In his view, it was "maudlin nonsense" to defend the Indians' claims to the West. The tribes currently occupying these lands had no moral claims; they were there simply because they had succeeded in butchering earlier tribes. If anything, Americans were to be praised for their treatment of the Indians. "No other conquering and colonizing nation," he wrote in *The Winning of the West,* "has ever treated the original savage owners of the soil with such generosity as has the United States."

Nor was Roosevelt's enthusiasm for Manifest Destiny limited to the weaker, more backward races. Where American territorial ambitions were concerned, Roosevelt yielded to no one, not even the "civilized" British. Accordingly, he retrospectively endorsed Benton's refusal to compromise with Britain over Oregon on the grounds that, "we were the people who could use it best, and we ought to have taken it all." The United States, Roosevelt believed, should have claimed all of the lands in the Oregon Territory at the outset and then sent in armed settlers to occupy them. Presented with a *fait accompli*, the British would have been in no position to resist, and the United States could have claimed the entire Northwest as its prize. Roosevelt could scarcely hide his disappointment that national policy at the time was largely shaped by the "more cautious and timid" wealthy classes of the Northeast, who "have never felt much of the spirit which made the West stretch out impatiently for new lands."

The demagogue?

The contrast with Roosevelt's hero, Lincoln, could not be more striking. Not only did Lincoln support the Whig policy of conciliation with Great Britain, but he warned that the annexation of Texas would further complicate the problem of slavery. Roosevelt, by contrast, insisted that Manifest Destiny had little, if anything, to do with slavery. Rather, it had to do the insatiable "greed" (as T.R. approvingly described it) of all westerners to lay claim to whatever territory they could wrest

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from weaker, inferior races and establish themselves as "heirs of the earth," or at least of North America. Like his ancestors before the Civil War, Roosevelt leaned toward the Democrats of this period, rather than toward Lincoln. He failed to appreciate, as Lincoln did, that the logic of Manifest Destiny, with its talk of race-mastery, would lead many southern Democrats to choose the extension of slavery over the preservation of the Union. Writing with the advantage of hindsight, secure in the knowledge that the North would win the Civil War, Roosevelt seemed to take for granted that Manifest Destiny would result in the spread of freedom.

Roosevelt's celebration of western expansion flies in the face of America's founding principles in still another respect. For what kind of freedom celebrates, as Roosevelt did, the right of the stronger race to conquer and dominate the weaker? This is the language of Cleon, the Athenian demagogue, or Nietzsche. It is not the language of Washington, Hamilton, and Lincoln, all of whom accepted the self-evident truths of the Declaration, according to which legitimate government rests on the consent of the governed and exists to secure the equal rights of all.

While Roosevelt the historian relied on a crude social Darwinism based on a clear racial hierarchy to justify American expansion in the West, Roosevelt the warrior switched course a decade later in defense of American imperial rule in Cuba, Puerto Rico, and the Philippines after the Spanish-American War. He insisted that rule over these former Spanish colonies was justified only to the extent that it served the native peoples in their struggle toward civilization. However, he also defended America's new imperial role on the grounds that it provided a solution to the problem of how to keep alive the "manly virtues" after the frontier had closed. Yet this raises even larger questions. What happens to republican self-government when the "manly virtues" are divorced from the Founders' commitment to limited government and placed in the service of continual expansion and growth? Is it true, as Roosevelt believed, that nations must either expand or decline? Or, to put the question somewhat differently, to what extent did Roosevelt's attempt to overcome the softness, timidity, and excessive materialism he despised depend on con-

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tinued external "strife," as he himself insisted in "The Strenuous Life"? And is there not in Roosevelt a disturbing tendency to see war and the heroism it calls forth as the culmination of political life? If so, then Roosevelt's idea of national greatness is fundamentally at odds with republican self-government.

Darwinism, race, and domestic policy

The early Roosevelt's tendency to view nations in racial terms, and to see social progress as a function of biological evolution, tended to spill over into public-policy matters as well. A leading Republican reformer in the 1880s and 1890s, Roosevelt had also acquired a reputation as a public intellectual. In a book review written in 1894, the same year he was considering a run for mayor of New York City, Roosevelt noted approvingly that democratic nations have instinctively practiced a healthy "race selfishness" by preserving for the white race the most temperate parts of the globe. He praised these same democratic societies for recognizing the "race foe" and excluding "dangerous alien[s]" from their territories. (The enslavement of blacks he considered a throwback to aristocratic times.) Although Roosevelt was willing to accept large numbers of non-Protestant immigrants, he drew the line when it came to race. Like many in his generation, Roosevelt regarded race, however loosely and even inconsistently defined, as the great organizing principle of civilization, and he supported measures that would maintain the distinctiveness of the white race. Accordingly, he supported tight immigration policies for nonwhites, and maintained that unrestricted Asian immigration on the Pacific Coast would be a "calamity."

While Roosevelt continued during this period to divide the world up into civilizations based on a hierarchy of races, he began to retreat from the social Darwinism that informed his analysis in *The Winning of the West*. In that work, he had seen the triumph of the English-speaking race in terms of natural selection, or survival of the fittest. But now he gave greater weight to the Lamarckian theory of adaptation to explain survival and social progress. In an 1895 review of several books on evolution, Roosevelt argued that what mattered was

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not so much who the fittest were, but how well the unfit could adapt and pass on to their progeny the character traits of the fittest. These, he thought, included not only selfish traits but certain altruistic qualities as well: "love of order, ability to fight and breed well, [and a] capacity to subordinate the interests of the individual to the interests of the community." Though the review did not discuss the plight of blacks in America, the implications for racial progress were clear. Even though Roosevelt regarded the black race as intellectually and morally inferior to the white race at that particular historical moment, he believed blacks could make progress by adapting themselves to the more advanced white race and genetically passing these traits on to their children.

As science, of course, the theory of adaptation was nonsense, as Roosevelt was forced to admit at the end of his life. But the larger problem was that the young Roosevelt, who had been trained as a natural scientist at Harvard at a time when Darwin's theories were gaining widespread acceptance among the educated classes, assumed that evolutionary biology provided the key to understanding how society worked and how social progress occurred. Progress was guaranteed as long as societies acted in conformity with these newly discovered laws of nature, which viewed persons in terms of distinct racial categories, rather than as individuals. Nor did these theories place much stock in natural rights. The view of nature that informed social Darwinism was a far different thing from "the Laws of Nature and of Nature's God" to which the Declaration of Independence appealed.

Roosevelt the Progressive

By 1910, when Roosevelt embarked on his Progressive crusade, he had toned down the racialism and largely abandoned the social Darwinism that supplied the intellectual framework for his early reformer period. (He did, however, continue to back tough immigration restrictions for nonwhites, and to warn Americans against "race suicide" through a failure to be "good breeders.") Roosevelt followed the general evolution of Progressive thought, shifting from science to history to explain the course of social progress. In turning to history, T.R. was

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not embarking on an entirely new course. His early studies had been informed by a belief in historical progress, though a progress cast principally in the Darwinian language that dominated the 1880s. But now history—understood in Hegelian terms, as a movement from the plane of low, selfish interests to the higher one of ethical, self-sacrificing ideals—became the organizing principle of his thought and action.

Roosevelt first elaborated on this theme in a 1910 speech entitled "The World Movement," given, appropriately, at the University of Berlin, where Hegel had taught. Roosevelt surveyed the movement of history from one stage of civilization to another and concluded that progress to "a higher and more permanent plane of well-being than was ever attained by any preceding civilization" was still possible. Roosevelt envisioned the emergence of states in which material needs were not achieved at the expense of "the things of the soul." Peace and justice would exist side by side with the virile virtues, morality and brotherhood would be divorced from "false sentimentality," and science would flourish alongside goodness.

After a whirlwind tour of the European capitals, the former president returned to the United States to do battle for the soul of the Republican party. Over the next two years, as he unsuccessfully sought the Republican nomination and then ran for president on the Progressive party ticket, Roosevelt tried to explain concretely what the Progressive movement might mean for America. To begin with, it meant a rejection of American "exceptionalism." America had once prided herself on her republican institutions and her superiority to the monarchies of Europe. But Roosevelt the Progressive argued that the United States was now lagging behind the governments of western Europe, and especially Germany, in her commitment to social welfare. America, he argued, must belatedly join the movement of world history.

The Progressive movement also meant the end of the old "shopworn" notion of individual rights and property rights. Because these rights were grounded on an understanding of human nature as essentially self-interested, Roosevelt regarded the whole idea of natural rights as scientifically wrong and ethically obsolete. Darwin had shown that human beings were constantly evolving, and Roosevelt could see that the Ameri-

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cans of his day were different from what they had been even 100 years before. The days of the pioneer were over. Human beings, Roosevelt thought, could adapt to changing conditions and pass on these changes genetically to their offspring. They could progress beyond the selfish passions that underlay what in these vastly different times was nothing more than a "sentimental attachment to the rights of man."

From an ethical standpoint, the doctrine of natural rights fared no better. It encouraged an "abnormal and excessive development of individualism in a few," while failing to satisfy the spiritual, and often even the material, needs of the great majority. At best, natural rights attained a purely "legal" justice, in which the property rights of the individual were protected without regard for the well-being of the majority. If America was to progress to "ethical" justice, citizens would have to learn to think less about their individual rights and more about rights "developed in duty."

In his "New Nationalism" speech of August 1910, Roosevelt explained what this meant for property rights. The test of whether a man had a right to his fortune should no longer be whether it was honorably obtained. It was not enough that it should have been made without harming the community. Because the value of property was socially determined, the new test of whether one might enjoy the fortune one had made must be social utility. Those who enjoyed "special privileges" must show that their wealth, power, and position actually benefitted the community. And, ultimately, it was the community that would decide.

As a result, the Progressive movement placed a heavy emphasis on education, for Americans could not learn to think differently about rights without first acquiring new moral and civic virtues. The "new republic" would require a superior kind of citizen, capable of mastering his passions and appetites and following the dictates of conscience rather than interest. As Roosevelt never tired of saying, in this ascent to a higher moral plane the average person would need "many virtues." Roosevelt was absolutely correct when he observed that Progressivism, though it sought certain economic reforms, was essentially "an ethical movement" aimed at nothing less than the reconstruction of the American character.

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Power to the people

Roosevelt's attack on individual rights arguably meant a rejection of the very idea of constitutional government, though Roosevelt himself denied this. In his view, the purpose of the U.S. Constitution was not to protect the rights of the individual but to secure the happiness of the many. Majority tyranny may once have been a danger, but no longer. In his day, it was the wealthy minority that rode roughshod over the majority. The task of the Progressive statesman was to help the people wrest control of their government from the special interests who used the Constitution to defeat the popular will. The people must become their own masters. Nothing must limit their will, not even the Constitution. Roosevelt supported Progressive reforms that would enable the people to legislate directly through the initiative and referendum; hold their representatives accountable through direct elections and recall; and even to reverse state court decisions when, after "due deliberation," the people determined that these rulings ran contrary to the collective good. Roosevelt argued that these reforms did not, as their critics contended, spell the end of representative government, with its constitutional safeguards. Rather, they would make representatives more responsive, hold the representatives accountable to the will of the people, and help the people achieve genuine self-mastery. Accordingly, Roosevelt could declare himself both a supporter of the "absolute right" of the people to govern themselves and an "emphatic" believer in constitutionalism.

In asserting the absolute right of the people to govern themselves, Roosevelt claimed to be following in the footsteps of his hero, Lincoln, whom he cited in almost every important speech throughout the Progressive campaign. Among the things that T.R. admired was Lincoln's opposition to the Supreme Court's *Dred Scott* decision, since Roosevelt sought to do battle with those state and federal court decisions that elevated the rights of property over the wishes of people. But try as he might to associate himself with Lincoln's position, and in turn appropriate Lincoln for the Progressive cause, the two were fundamentally irreconcilable.

Whether mistakenly or by design, the Progressive Roosevelt read Lincoln's First Inaugural as an affirmation of his own

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emerging view that the majority of the moment was sovereign even over the Constitution. But when Lincoln announced in the First Inaugural that the people and not the Court were ultimately sovereign, he was not claiming that the people had the right to overrule an unpopular Supreme Court decision. Instead, he tried to work within the constitutional system to overturn the decision. By Roosevelt's own definition, Lincoln was not a Progressive but a "reactionary." In opposing slavery, Lincoln looked back to the "old policy of the Fathers," and sought to lead a wayward nation back to its founding principle of equal rights for all—within the limits laid down by the Constitution. He did not, as Roosevelt did, declare those principles, or the country's fundamental charter, obsolete in the light of changing economic and social conditions.

While it is arguable whether the enactment of specific Progressive reforms undermined or reinforced constitutional government, there is no doubt that Progressive ideology in its fullest form sought to discard the Framer's vision of limited government. Roosevelt explicitly said so, and with some relish. In a campaign speech in 1912, Roosevelt criticized his opponent Woodrow Wilson precisely for his defense of limited government. In keeping with his historicist premises, Roosevelt considered the idea of limited government a relic of an earlier age. "This is a bit of outworn academic doctrine.... It can be applied with profit, if anywhere at all, only in a primitive community such as the United States at the end of the eighteenth century." At the beginning of the twentieth century, limited government, with its separation of powers and divided government, fostered a "chaotic scramble of selfish interests." And to a Progressive crusader bent on leading the nation to a higher moral plane, all interests that were not "the public interest" were selfish and corrupt.

In his definition of corruption, as well as in his remedy, Roosevelt had moved well beyond where he began. As a Republican reformer, T.R. had established himself on the political scene by attacking specific forms of corruption, such as bribery and extortion. He had judged it unrealistic, even demagogic, to try to ban campaign contributions by corporations, instead arguing for full disclosure of all contributions. Roosevelt had dismissed as "mischievous and untrue" the doctrine that

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the will of the people should prevail over the Constitution and had heaped scorn on those politicians who proclaimed the moral perfection of the average voter. He had believed that the nation faced two great dangers, corruption and demagoguery, and that the task of the public official was to steer a course between them.

But by the time of his Progressive campaign, only one evil remained. The line between Roosevelt's statesmanship and demagoguery had blurred, just as the Founders had predicted it would if public officials constantly took their case to the people. Dazzled by his Progressive rhetoric, which extolled reason and conscience while denigrating interests as low and sordid, Roosevelt came to regard any interest that did not actively benefit the public as a whole as a "special interest." There was no place in ethical government for such interests. In almost biblical language, Roosevelt declared: "Special interests must be driven out of politics." To this end, he reiterated his call for a law that would prohibit the use of corporate funds "directly or indirectly for political purposes." The new republic he sought to usher in must rise above interest-group rivalries; it must henceforth consider politics from the standpoint of morality. For nations, like individuals, had souls, and what was at stake was nothing less than the soul of the nation. Thus the task of "ethical government," as Roosevelt had signaled in his Berlin speech, was to foster material *and spiritual* satisfaction. From 1910 on, he would drive home that point in ever more prophetic language, even as his actions consigned his party to defeat.

Moving beyond rhetoric

In the short run, Roosevelt's crusade for righteousness was electrifying. One can only imagine what it was like at the Progressive nominating convention when Roosevelt concluded his acceptance speech with "We stand at Armageddon and we battle for the Lord," and the faithful replied by chanting "The Battle Hymn of the Republic." But seen from the vantage point of today, Progressivism looks like nothing so much as a desiccated form of liberal Protestantism, a displacement onto the secular world of whatever remained of religious belief for educated Protestants after Darwin. As such, it was destined in

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the early decades of the twentieth century to be relegated to the sidelines, as new waves of Catholic and Jewish immigrants sought the benefits of freedom and prosperity that America had always offered its newcomers, rather than a thin, but still identifiably Protestant, moral revival. But as the descendents of these immigrants shed their own religious beliefs, and grew disenchanted with "mere" material goods and the satisfaction of "selfish" interests, it was inevitable that the progressive spirit would rise again.

In today's troubled times, T.R.'s stirring rhetoric can help to brace us to our duty and renew a sense of patriotism and national honor among our citizens. But on the more fundamental questions of what we stand for as a republic, Roosevelt is far less useful. For he accepted far too uncritically the reigning beliefs of his day—that the Declaration and the Constitution had outlived their usefulness; that through evolution, human beings might overcome their selfish natures; that majority tyranny was no longer a threat to our political institutions; that elected officials might be freed from constitutional restraints; and that panels of disinterested experts could be trusted to rule in the public interest. In the search for a usable past, we would be better off to take a fresh look at the Founders and then consider how Roosevelt's hero Lincoln remained faithful to their vision under radically altered conditions. From such lessons, we may then come to understand better how our republican institutions can be preserved in our own time.

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Mr. Jefferson's university breaks up

DAVID L. KIRP & PATRICK S. ROBERTS

THE University of Virginia is surely the most architecturally renowned campus in the country. Among Virginians, it is reverentially referred to as "Mr. Jefferson's university," and indeed that polymath president had a major hand in designing what he called the "academical village." A miniature version of the Roman Pantheon, the Rotunda, sits at the heart of the early nineteenth-century grounds (the school has a grounds, rather than a campus), flanked by two rows of Federalist-style buildings. The buildings serve as classrooms, faculty residences, and dormitories for seniors, who vie for these coveted places.

Even as droves of tourists annually make the pilgrimage to Charlottesville to admire the grounds, signs of neglect are visible in the shadow of the Jeffersonian grandeur. Rouss Hall, which houses the department of economics, is the sorriest case. It needs new pipes and a new heating system, structural repairs, an elevator for the handicapped, and much more. So far, however, the university administration, chronically strapped

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for funds, has only been able to afford cosmetic touches.

A mile away, on the north grounds, the recently completed campus of the Darden Graduate School of Business Administration pays homage to Jefferson's architectural vision. Federal-style buildings frame a wide lawn. The main building is modeled on the Rotunda. The pristine interiors, painted in soothing colonial hues, the echoing foyers, and the sumptuous decorative touches recall his vision.

Rouss Hall and Darden embody in brick and mortar a fundamental divide within the university. The schools that are situated on the historic grounds, among them the liberal arts college, the education school, and the school of commerce (which trains undergraduate business students), operate according to the conventions of public universities: The state doles out operating funds and specifies, often in numbing detail, how those funds can be spent.

In sharp contrast, the business school and to some extent the law school, its campus neighbor, have been moving toward what is referred to as "self-sufficiency." In exchange for eschewing most of the state funds to which it would otherwise be entitled, Darden has essentially been set free to build its own campus. The result is a nine-building, 340,000 square-foot complex, paid for with $77 million in private contributions. Darden can decide how many professors it wants and how much to pay them. It keeps 90 percent of the money it raises. It offers expensive executive-training courses for senior managers and basically determines its own tuition. A university steeped in tradition has responded to the contemporary pressures of market competition by creating what is likely the most autonomous—the most "private"—school in an American public university.

Darden is the canary in the mine, a sign of things to come, for across the country the privatization of public higher education proceeds apace. Since 1980, the share of the operating expenses of public universities that is paid for by state tax dollars has fallen by 30 percent. At the University of Virginia, the state's contribution has been reduced by a third in just the past decade, and now the legislature underwrites only 20 percent of the university's budget. The federal government also contributes proportionately less than it did a generation

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ago, and federal dollars increasingly go to students, as grants and loans, rather than to institutions.

Meanwhile, public universities face mounting competition from private schools, whose endowments were fattened during the 1990s stock-market boom. For-profit institutions like DeVry University and the University of Phoenix compete vigorously with the second-tier state universities that historically have educated most undergraduates. Public universities have responded by raising tuition—by as much as 50 percent in the past decade—but pressure from parents and politicians effectively sets a ceiling on this revenue source. Universities have also been more aggressive in courting private and corporate donors, with the inevitable consequence that the donors' preferences, not the desires of the public, become synonymous with the mission of the institution.

Fundraising has always been critical to the survival of higher education in America, of course, but that pursuit has been transformed from an activity conducted at the margins of the institution to its very center. In this new Gilded Age, it's easy to see how academic entrepreneurship of the sort that the Darden School engages in could come to prominence, if not dominance.

Because Darden may represent the way of the future, it is worth taking a close look at its recent history. Is the Darden School the kind of institution that Thomas Jefferson had in mind when he wrote of "a University [established] on a plan so broad and liberal and modern, as to be worth patronizing with the public support"—or does it presage the transformation of higher education into what is simply and straightforwardly a business?

The road to autonomy

Virginians are passionate about their leading universities, and for those who manage them this is both a blessing and a curse. In a state with neither a major city nor a major-league franchise in any sport, the University of Virginia and the College of William and Mary are a point of pride. Virginia politicians are passionate as well, although their feelings can run to venomousness. Legislative battles turn into culture wars over the content of the curriculum. The green eyeshade crowd in

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Richmond closely monitors university budgets, and until a few years ago, the state mandated a payroll system the complexity of which would startle Rube Goldberg. In the mid 1990s, then-governor George Allen specifically picked members of the State Council of Higher Education who had the intention of wreaking havoc.

"The problem," says former U.Va. Provost Peter Low, "is that the state contributes [a small fraction] of the revenue but wants 100 percent control." When in the spring of 2001 the state legislature failed to adopt a budget, $100 million in construction projects on the Charlottesville campus were halted for six months. "It's not like Michigan," says Ted Snyder, who taught there before coming to Virginia as Darden's dean. "You feel the state on a week-to-week basis."

Despite its abiding interest, the state of Virginia has never been especially generous in funding higher education. Even during the 1970s and early 1980s, as the University of Virginia was cultivating an image as one of the "public Ivies," it spent considerably less than neighboring North Carolina. During the recession of the early 1990s, higher education in Virginia fared among the worst of the nation's public universities, suffering a 13 percent budget cut in two years. Out of necessity, the university dramatically increased tuition—by 79 percent for in-state students, and 123 percent for out-of-state students—making it one of the nation's most expensive public institutions.

Politicians began meddling with tuition in 1994, when legislators limited increases to the rate of inflation. Two years later, Governor Allen imposed a tuition freeze. The budget pinch was so tight that the state's institutions could not offer faculty competitive salaries, and many talented professors went elsewhere.

Several ex-governors, both Democrat and Republican, issued a warning that the quality of public higher education was in real danger. For their part, the university presidents delivered an ultimatum: If Virginia didn't do a better job of funding higher education, some units of the university would go private. "We all sat down and argued about this in John's [U.Va. president John Casteen's] living room," recalls Gordon Davies, who for 20 years headed the State Council of Higher

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Education. "One of the presidents said, 'Christ, you really mean this.'"

The law and business schools at U.Va. were already committed to privatization. Even though the campus administration had always treated Darden as a favored child—it was viewed as a bright light in an institution whose units are of decidedly uneven caliber—there was never enough state money to underwrite a truly first-rate business school. By the 1980s, recalls long-time chief operating officer Leonard Sandridge, an accreditation team from the Association of American Law Schools had warned that "the law school is in serious danger of falling behind its peers because of a lack of money." A similarly blunt message was being delivered to Darden: To be more than a good regional institution, the business school had to raise buckets of money.

The state legislature proved surprisingly responsive to these pressures for greater autonomy. A 1996 Assembly committee report concluded that "as higher education changes the way it conducts its business, the Commonwealth should consider changing its business relationship with higher education.... The plan ... should consider the possibility of allowing institutions to grant greater autonomy to selected schools." The reasoning was pragmatic. "The plain fact is this state is not going to put up the resources to compete with Stanford," says Donald Finley, former state secretary of education.

Realistically, only the law and business schools at U.Va. could attract enough students willing to pay the market-rate tuition that self-sufficiency would require. The law school's negotiations over autonomy have been protracted because state politicians, mindful of its graduates' powerful role in state affairs, have been loath to cede control. In addition, legislators have pressed the law school to maintain its traditional quota of 40 percent in-state students, who pay lower tuition, and this constricts the school's potential revenues.

For Darden too, securing self-sufficiency has demanded considerable finesse. The campaign for greater autonomy was almost derailed on the occasion of the dedication of the new campus in 1996, when Thomas A. Saunders III, chair of the board of trustees of the Darden School Foundation, the fund-raising arm of the business school, said the magic word

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"privatization" aloud:

> I know that the word "privatization" is politically a "hot button." But the fact is that the state would win. Wouldn't the state subsidy going to Darden be better spent on undergraduates in the form of scholarships or better-funded programs?... Tonight, I am making the case that Darden must have the freedom to respond to competition in order to join the ranks of the top five or six business schools.

"It was a horrible speech. I cringed under the table," says Board of Visitors member William Goodwin. "If you were a legislator, you would say 'that isn't going to happen to my school!'" Only with considerable soothing of egos did "self-sufficiency" proceed. Now it's a *fait accompli*—and an apparent success.

In recent years, Darden has regularly been listed among the top 10 business schools in the influential *Business Week* rankings—the only public university other than Michigan to appear on that list—and it has been ranked higher than such better-known schools as the University of Chicago. Darden students report that they are pleased with their education—in that category, the school ranks second nationally—and employers, whose views weigh heavily in the *Business Week* rankings, express satisfaction with the graduates' performance. Darden has also done remarkably well in raising money. During his three-year tenure as dean, Ted Snyder raised $209 million, making Darden the best-endowed business school per student in the country. (Small wonder that, as *Business Week* reported, the staff wept when they learned that Snyder was leaving to become dean of his alma mater, the University of Chicago.)

By 2008, with the M.B.A. class size increasing by one-quarter, the revenues from market-rate tuition—combined with added income from fundraising and endowment interest as well as the revenues generated by a lucrative executive-education programs—will enable the school to cut most of its operating ties to the Commonwealth of Virginia. What Provost Peter Low calls "an opportunity to loosen the reins" of state control is depicted by campus administrators as a win-win arrangement. It benefits Darden by enabling it to better compete for students, faculty, money, and ultimately prestige. At

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least on the surface, the deal also benefits U.Va., since state money that used to go to Darden can now be spent elsewhere on campus. "This business," says chief operating officer Leonard Sandridge, "like all businesses, works best if the objectives of the various parties are aligned."

Market similes are misleading, though—higher education isn't "like all other businesses," and Darden isn't like the Saturn division of General Motors. It's not self-evident that what's good for the Darden School is also good for the University of Virginia. To the contrary, the emancipation of Darden may accelerate the fissioning of that "academical village" known as the university.

Negotiating a "franchise tax"

"When I was deciding among deanship offers," recalls former dean Tom Snyder, "I calculated the internal tax rates [the percentage of revenue that a business school pays the university]. At Michigan, the rate was 21 percent, at Emory it was 40 percent. That big variation has to affect competition among business schools." When Snyder came to Virginia, he spent 18 months negotiating the tax rate with chief operating officer Leonard Sandridge. Presumably, Sandridge did not have these comparative data at hand—he says he simply wanted a figure that wouldn't cause other deans to rebel—and Snyder walked away from the table having secured a tax rate of just 10 percent, with side payments as a sweetener. To the dean, who initially proposed a 5 percent rate, this seemed fair, since "the school doesn't make much use of university services like the library."

The 10 percent contribution to the campus is just a "franchise fee," insists Mark Reisler, Darden's associate dean for administration. The term is telling. As Provost Peter Low acknowledges, the business school is really "a separate entity that has a contractual relationship with the rest of the university, constrained only by custom." Just as a McDonald's franchise-holder pays for the cachet of the brand, Reisler regards the tax as buying the Jeffersonian mystique of the University of Virginia. Otherwise, the school operates as if it were a stand-alone institution. Snyder's predecessor pointedly skipped deans' meetings because he found them irrelevant. Under-

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graduates are made to feel unwelcome—signs in the classrooms emphatically declare: "For the Exclusive Use of Darden M.B.A. and Executive Education Students Only." While the business school has modestly supported some campus activities, there are few ties to the institutionally separate, and much poorer, undergraduate business school.

To think about a university entirely in market terms is to reject the idea that the central administration has the right to fix priorities for the institution as a whole—as, for example, Columbia University does when it identifies the liberal arts college as its centerpiece, and so taxes the business and law schools to pay for the physicists and poets. The market mindset dismisses the claim that public goods like a library benefit everyone and so should be underwritten by the entire campus. It also disregards the direct benefit of these public goods to Darden: The number of volumes in the campus library affects the university's *U.S. News and World Report* ranking, which in turn affects the reputation of the institution of which Darden is a part.

Not surprisingly, deans who can command fewer resources see things differently from business school administrators. Melvin Leffler, a renowned historian of the Cold War who until the summer of 2001 was dean of the College of Arts and Sciences, went public with an attack on how the administration parcels out money. Leffler contends that the liberal arts college, which enrolls far more students than any other unit, really subsidizes the rest of the university—including the Darden School. Leffler notes that, in 1997-98, tuition revenues exceeded the money made available to the college by $17 million. While he acknowledges that the college should support public goods like the university library, he regards the disparity between revenues and expenditures as revealing the misleading nature of the rhetoric of self-sufficiency. The College of Arts and Sciences could indeed be self-sufficient, he argues, if it were able to keep its tuition revenue. "I know all the talk about Darden and self-sufficiency," he says, "and I think that one really needs to look at numbers and see if the rhetoric is commensurate with the reality."

The formula the campus administration uses to distribute state funds is arcane even to deans who have worked with it

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for years. Chief operating officer Sandridge and Provost Low initially ignored and then dismissed Leffler's claims. But even if the College of Arts and Sciences had secured a Darden-like arrangement to keep essentially all the tuition revenue it generated, it would be a bad deal: Unlike Darden, the college can neither raise its tuition nor increase its enrollment without authority from the state. Darden professor and long-time administrator Ray Smith is unsympathetic to the plight of the college. "We don't compete with the rest of the university, we compete with Harvard," he says. "I'd love to help Mel Leffler, but I can't say 'I'm going to take my money and give you part of it, Mel, because I feel sorry for you.'"

This internal competition for funds generates what former law school dean Robert Scott calls a "poisonous atmosphere." As one campus administrator put it with delicate understatement, "If you are a professor of linguistics and your department is starved to death and your pay has barely kept up with inflation, you might be annoyed by what's happening at Darden."

Hotel Darden

At the entrance of the long drive that leads to Darden's grounds sits Sponsors Hall, home for 4,000 corporate executives who annually come to Charlottesville for an intense retooling course. In the school's early years, the housing was dorm-quality and the food basic cafeteria fare. Sponsors Hall now rivals a Four Seasons hotel, with its 120 guest suites (soon to be 180), billiard room, and elegant dining room. The chef was snatched from Keswick Hall, a nearby resort that *Conde Nast Traveler* magazine named one of the world's finest small hotels, and his five-course meals are as good as any fare for hundreds of miles around.

Such accommodations are what these executives are accustomed to, and their Fortune 500 companies have been willing to pay handsomely—more than a thousand dollars a day for courses on topics like "developing managerial excellence." These are not off-the-shelf courses but material specially tailored to the needs of the corporation that is footing the bill. *Business Week* consistently rates Darden's executive program as among the best two or three in the nation. "It's a great way to

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develop the brand," says Ray Smith.

"Having a few thousand executives come to town has really helped the faculty stay in touch," says Snyder, but even the former dean acknowledges the scale of the program is a concern. This is unlikely to change, though, since the executive program is Darden's cash cow, generating more than half of the school's revenues—the fees for a four-week course approximate an entire year's M.B.A. tuition. If Darden is to prosper in the era of self-sufficiency, it has to keep attracting these managers.

Unlike other business schools, which discourage younger faculty from teaching in the executive-education program so that they can focus on research, all Darden professors are expected to participate. "If they can't," says associate dean James Freeland, "we will ask them to leave." Most do so quite happily, since the handsome stipends they receive for a few days in the classroom can nearly double their salaries. "The way to get to market with faculty," says Snyder, "is to combine a light M.B.A. teaching load"—about two hours a week—"with executive ed." The development of a new M.B.A. course can take a year or more, but if the price is right, professors may be asked to create a course wanted by a particular company in a matter of weeks.

These activities, coupled with the school's emphasis on devising new cases for M.B.A. students, keep many professors from doing the kind of research that is expected at a top-rank school. Though Darden faculty write many of the case studies used in business school classes throughout the country, they publish in leading academic journals far less than their counterparts at Stanford or Chicago. That worries those who see the creation, not just the transmission, of knowledge as vital at a great university. The school recognizes the problem. As Joseph Harder, who came to Darden from the Wharton School at the University of Pennsylvania, points out, it's important "to become known for our intellectual capital."

What is more alarming is that an instructor may not be allowed to use the case he has developed for, say, PricewaterhouseCoopers or Citibank in an M.B.A. class, since many executive courses draw on proprietary material. In the school's early years, notes Ray Smith, professors feared the possible

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encroachment on their academic freedom, and so resisted teaching company-specific courses. The first such course, developed for the postal service, was rationalized as serving the public interest, but now, says Snyder, professors are drawn to those courses by the intellectual challenge. Some Darden professors were already teaching in corporate-run programs, Smith notes, but were doing so on their own time. Now this teaching has been brought into the school.

There is a difference, however, between private consulting and institutional involvement. When Darden offers classes developed for a specific firm and uses proprietary teaching material, it erases the line between the academy, where norms of openness prevail, and the property-minded corporate environment. Such secrecy is expected at a place like Hamburger University, McDonald's corporate-training headquarters, where the courses are valuable property and every effort is made to keep out spies from Wendy's or Burger King. It also makes sense at the University of Phoenix, a for-profit venture where the highly prescriptive course materials are the institution's stock in trade. But black-box pedagogy at the University of Virginia calls into question the very idea of a public university.

Darden administrators realize the worrying implications of preparing proprietary materials for corporation-tailored programs. "Our purpose in life is not just to do 'exec ed' for making that company better, but to generate knowledge that can be shared," says Dean Freeland. The dean for executive education, Brandt Allen, persuaded one initially reluctant company that turning its business problem into a case study would be invaluable advertising, especially since Darden offered to feature the company's name in its case book. Yet some companies insist on secrecy, and so the conflict over proprietary materials continues.

In teaching company-specific material to corporate managers, the Darden School is little different from Hamburger University—with the crucial exceptions that, as a nonprofit institution, it is exempt from taxes, and that, as part of the University of Virginia, it carries Thomas Jefferson's "brand." That's worth a great deal. As Leonard Sandridge says: "People would pay twice as much for executive education from Darden

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than from [nearby] James Madison University even if it were with the same professors. Reputation doesn't happen overnight, thank goodness."

Going it alone

When he became president of the University of Virginia in 1990, John Casteen III believed he could do it all—teach and do research (he is a *Beowulf* scholar) as well as manage, and devote just one day in five to fund raising. Casteen learned otherwise after his third year, when the trustees nearly fired him for not bringing in enough money. "They wanted me outside selling," he told a *New York Times* reporter. "They were upset I was spending three days a week on campus." Casteen has taken that lesson to heart. U.Va.'s recently concluded capital campaign raised $1.43 billion, the second-highest sum ever garnered by a public university.

This fund raising hasn't been undertaken on behalf of "the university"; only $50 million raised in the campaign can be used as U.Va. chooses. Rather, the focus has been on raising money for particular schools or departments to which alumni feel a special attachment.

Meanwhile, across the U.Va. campus, units are following Darden's example. Foremost among them is the McIntire School of Commerce, the undergraduate business school which, borrowing from the Darden playbook, has gone into the graduate-training business. In just three years, enrollment in its graduate-degree programs has jumped from 40 to 300, and the school is about to open a new branch in northern Virginia. "We have taken our graduate programs private," says Dean Carl Zeithaml, echoing his Darden colleagues. "They are basically a huge net cash flow into the school. We pay a tax, a franchise fee to be part of the U.Va. umbrella."

The McIntire School has launched a multi-million dollar, privately funded construction of a new building, and the economics department, long eager to escape its decrepit home in Rouss Hall, may not be far behind. Although the campus administration turned down its request to build a new building, the department, undeterred, is threatening to woo donors whose gifts can be used only for this restricted purpose. When that money arrives, the economists reason, the campus will have to

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go along. Economics professor Edgar Olsen hopes that fund raising becomes a responsibility of departments, not schools, a prospect that chills impoverished departments like linguistics. "When people complain that Darden has these lavish buildings and we have these crappy buildings, I say that's fine. We should go raise our own money," argues Olsen. Melvin Leffler, the dean of Arts and Sciences, took this idea of entrepreneurialism to heart. When he failed to extract additional funds from the campus administration, he morphed into a money raiser, hiring one of Darden's development officers to manage the effort.

"Businversity"

In some respects, this market-driven activity matches Thomas Jefferson's vision. U.Va. was never meant to be the Harvard of the South. Unlike Harvard, it wasn't primarily devoted to the education of clergy, teachers, and lawyers, and it wasn't committed to a unified classical education. Rather, Jefferson imagined a collection of specialized schools in close proximity to one another, essentially graduate schools that granted specialized degrees both in traditional subjects like philosophy and in new academic fields like medicine. Ahead of his time as ever, Jefferson was contemplating what has become known as the "multiversity." But there is one major difference: Jefferson believed that a university merited public support because it served the public good. The Darden School represents the triumph of the private good—what might be termed the "businversity."

Then as now, it was hard to secure public backing. "My hopes are kept in check by the ordinary character of our state legislatures," Jefferson wrote a friend, "the members of which do not generally possess information enough to perceive the important truths, that knowledge is power, that knowledge is safety, and that knowledge is happiness." In 2001, amid the recession, the state's contribution to U.Va. was again cut, and faculty hiring was frozen in several units of the university, including the College of Arts and Sciences.

Because it is more self-sufficient than other campus units, Darden has less of a stake in these machinations; it is unaffected by the hiring freeze, for example. And since recessions

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inspire prospective students to return to the safe harbor of school, M.B.A. applications have risen significantly this year. But the economic downturn is likely to have a major long-run impact on an institution that has opted to live by the marketplace. Darden's transition to self-sufficiency coincided with the greatest uninterrupted era of economic growth in U.S. history, and the school benefited accordingly. It was easy enough in that climate to forget that firms can cut costs even more quickly and severely than legislatures reduce budgets. "Ailing companies, including giants like Ford, are sending far fewer managers to $100-a-day classes," observes *Forbes Magazine*. Executive attendance was down at Darden by 15 percent in 2001. The school has reacted in true entrepreneurial fashion, offering a free web-based course on "Leadership in Turbulent Times."

The market and the Holy Father

It's too early to know how a privatized Darden will fare in "turbulent times," but the move to privatization has already had a major impact. In its eagerness to enter the top ranks of business schools, Darden has made the pursuit of money its main activity. In doing so, it has de-emphasized research, for which there is no immediate market payoff. Faculty energy that elsewhere would be devoted to scholarship is expended on topics dictated by the needs of executive education.

Still, by the conventional index of success, the strategy has worked brilliantly, as the school's dramatic rise in the *Business Week* rankings attests. Is there any reason to believe that other universities won't make similar deals with their business schools, and that for their part the business schools won't compete more vigorously for corporate-training money? If that's the case, then the Darden School embodies the future—and what works for business schools can be adapted to other potentially profitable units of the university, especially the professional schools.

Since the founding of the first European universities in the thirteenth century, universities have had to defend themselves against powerful outside forces that would dictate how they manage their affairs. For all the accommodations they have made, the best ones have attempted to preserve a space for

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the pursuit and transmission of knowledge. "The university was controlled by and had to fight for intellectual purity against the Church," says Gordon Davies, the longtime director of Virginia's Council of Higher Education, "then it had to fight against the crown, and now it's against the corporation."

"There has always been a tension between the funding source that could control thought and the university," Davies adds. "We always have to say that the earth goes around the sun, even if it doesn't comport with what the Holy Father says." In place of the Holy Father there is now the marketplace, but for higher education the underlying question remains the same. Does the academic commons that Thomas Jefferson tried to embody in his design of the Lawn—professors and students with diverse academic interests coming together in a single open space—stand a chance in this dollar-driven era? Can a university maintain this kind of intellectual community if learning becomes just another consumer good?

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Making school reform work

CHESTER E. FINN, JR.

ACCOUNTABILITY may be the hottest word in primary and secondary education nowadays, but it is a recent arrival on the scene. As long as we trusted the existing public school system to do a satisfactory job of educating children, accountability was not an issue. One was more likely to speak of the system's "governance," assuming that conventional public-sector mechanisms—a bureaucracy answerable to elected officials, thence to voters and taxpayers—would furnish whatever oversight and quality-control were needed. One seldom hears talk of accountability in the highway department or the water and sewer agency. The demand for accountability arises when something goes wrong, when people are discontented with an enterprise's operations or a system's results—and when they believe that it could work notably better.

In 1983, the National Commission on Excellence in Education declared us a "nation at risk" due to the poor performance of our schools. For two decades, we have sought to

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rectify that situation. We have asked who is responsible, and who should take the necessary steps to solve the problem. But the demand for accountability in education is driven by more than discontent. First, a body of research dating back to James Coleman's path-breaking studies has found that there is no direct relationship between the amount of resources a school receives and its level of academic performance. This realization has led education reformers to emphasize results rather than inputs and has made us more attentive to the systems by which those results are prescribed, fostered, and measured.

Second, between press accounts of highly successful schools and more formal "school effectiveness" studies, there is ample evidence that at least some children are getting a solid education. This proves that the situation is not hopeless and also encourages further questions of accountability. Who, we want to know, can be held responsible for the fact that some schools succeed while others do not? Despair may not fan the flames of accountability, but envy does.

Lastly, increased efficiency and accountability in the business world has led some to believe that similar reforms could be made to work in the public school system. Thanks to keener management, better ideas, and stiffer competition, many faltering industries have been successfully overhauled. Large, rigidly structured companies have learned new strategies for boosting efficiency and productivity. If it can happen in those sectors, why not in K-12 education? Such comparisons intensify the demand for accountability in our public school system.

Three ideas of accountability

Several different reform schemes have been tried, driven by competing ideas about how to achieve improvement in K-12 education and boost pupil and school performance. Those ideas in turn reflect distinct understandings of accountability.

Some education reformers would have us "trust the experts." This within-the-system approach goes beyond simply placing confidence in the local superintendent and school board and looks to national educational bodies for advice. As in medicine, law, or the clergy, it is characterized by habitual deference to what leaders of the profession deem the best way to do things, and by the craving for peer approval among

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its members. Thus we find educators pushing for schools to teach math in the manner propounded by the National Council of Teachers of Mathematics (NCTM)—less drill, more conceptual understanding—for having all colleges of education vetted by the National Council on Accreditation of Teacher Education (NCATE), and for rewarding superior teachers, as selected by the National Board for Professional Teaching Standards (NBPTS). We find enthusiasm for "school wide" reform designs developed by such education gurus as Theodore Sizer and James Comer, and for schools shaped by the "multiple intelligences" theory of learning propounded by Harvard professor Howard Gardner.

Though government funding may be involved, and some of the national groups may wheedle their way into state policy and thus become virtual arms of the regulatory system, the basic dynamic of this approach is nongovernmental. Its major source of influence is found in the creeds, belief structures, and status hierarchies of the education profession. Indeed, embracing professional accountability is not unlike joining a religious sect and upholding its tenets. Like other true believers, those who feel primarily accountable to their peers are apt to pay only grudging attention to outside voices, to policies set by elected officials, or to bureaucratic control systems. They'll look for ways to surmount the hurdles that "know-nothing" laymen have placed in the path of true professionalism.

Other reformers would have us "trust, but verify." This standards approach is the most popular form of education accountability in government and business circles. It was the inspiration behind George W. Bush's recently enacted "No Child Left Behind" bill, as well as Bill Clinton's "Goals 2000" program and the former Bush administration's "America 2000" program. It commands the spotlight at national "summits," in governors' addresses and in legislative corridors. The standards approach is a top-down, externally mandated strategy for inducing change in education. The government will stipulate what children are supposed to learn, test to see whether they've learned it, and impose consequences on students, educators, and schools depending on the outcome. The essential mechanisms are easy to describe, though hard to do well: A higher level of political authority—usually a legislature or state

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board of education, outside the education profession itself—prescribes the skills and knowledge that a child, classroom, school, school system, or entire state is supposed to master. That same authority imposes tests or other measures by which to determine whether and how well its standards are being met. A fully wrought accountability system then dispenses rewards and sanctions meant to change behavior and yield improved results. It is a nakedly behaviorist theory, intended to alter individual actions and institutional norms through an array of external incentives.

Finally, there are those who believe we should "trust the customers." This free-market reform strategy first arose among schools that already answered to their clients through market dynamics. Private schools must satisfy their "customers" or they risk losing enrollment and revenue. Charter schools face a similar situation. They must attract and retain students in order to maintain income. What could be a better incentive?

Such market-style accountability has spread in recent years, not just from private to charter schools but also to sundry forms of public school choice, "virtual" schooling, "magnet" schools, and public and private vouchers. It remains, however, the most controversial of the three strategies, for it employs a flexible definition of public education and—in some versions—allows tax dollars to go to schools that are not directly controlled by governmental bodies.

These three approaches to reform are matched by three notions of who is accountable for improving the K-12 system: the professionals, the elected officials, or the "customers." While they might appear mutually exclusive, in the real world they often coexist, as do their constituencies. Indeed, it's rare to find a school where only one of these theories of reform is at work and common to find states and communities where elements of all three are working at the same time. That leads to confusion, to be sure, but it's hard to prevent, considering that these strategies tap into different loyalties and political bases. Each is extremely popular with its own believers and advocates.

Elements of all three are apt to be with us for a long time. But where should we place our hopes for achieving better education results for states and communities? We might usefully ask which of these strategies best advances academic achieve-

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fully ask which of these strategies best advances academic achievement, and which is most amenable to implementation. Moreover, we must ascertain which carries the most negative baggage.

Political obstacles

Standards-based reform (the "trust but verify approach") addresses the problem of academic achievement most directly. Old-fashioned regulatory compliance clearly hasn't done the job. If education experts had a record of producing better results, they might have been entrusted with the job of reform. As for market-style accountability, it focuses on achievement only insofar as academics is the foremost concern of parents. If parents are more concerned about the school's proximity to their homes, the football team, or average class size, the marketplace will not improve academic performance.

All of these reform strategies are difficult to put into operation. Each faces huge systemic inertia, political resistance, and mistrust, as well as competition from rival reforms. The "experts" have long encountered difficulty in putting their ideas into practice in public education. Though Americans often grow misty about the nobility and selflessness of teachers, this is not a field whose leaders enjoy the confidence of the broader public, and teachers seldom have complete control over key decisions and resources. Moreover, the profession is split into innumerable interests that vie to enlarge their resources and influence. This makes for politically embarrassing situations—and even less public trust. The curriculum experts, for example, may embrace the NCTM math standards, but that does not mean that the state math test will reflect these standards. NCATE may succeed in getting its accreditation required for all teacher-training programs in the state even as the legislature creates an alternative teacher certification scheme that bypasses those programs altogether. Moreover, a new school board or administrator may sweep away years of effort by their predecessors to restructure their schools around new "expert" notions.

Standards-based reform will have another opportunity as President Bush's "No Child Left Behind" law gains traction, but we know from earlier efforts that this kind of reform frequently fails. It is difficult to reach agreement on stan-

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dards, tricky to develop the tests to match those standards, and politically painful to impose consequences on students, teachers, and schools. Where these challenges have been substantially met (in Texas and North Carolina, for instance), standards-based reform does appear to boost achievement, particularly for poor and minority youngsters. But many states are finding this approach difficult to put into operation. They succumb to the temptation to ease or delay their academic standards, and once the standards are set, problems arise in designing tests that accurately track academic progress. Even when a state holds firm in its standards and has suitable assessments, it may back away from the delicate task of attaching rewards and sanctions to pupil, school, and teacher performance. Most often, it is the students who are held accountable (i.e., held back or required to take summer school) while little happens to the teachers or school administration. Their jobs and salaries, for example, are almost never at stake. School children don't employ lobbyists to fend off the "consequences"; teachers and principals (and superintendents and school-board members) do.

Market-style accountability faces considerable political obstacles because it menaces the entrenched interests and power bases of public education. It also raises intense constitutional and philosophical issues, and requires more technocratic tuning than is commonly realized. Few favor an unfettered marketplace with no other mechanism to look after children's and taxpayers' interests. But the restraints are challenging to get right. Should children from wealthy families get the same vouchers as youngsters from poor families? What about those with disabilities? Or those already enrolled in private schools? Should charter schools be funded on exactly the same basis as regular public schools? What rules should govern their sponsoring bodies? In what ways are *they* accountable, and to whom?

Standards-based and market-based reform strategies have additional drawbacks. The public is less familiar with them than old-fashioned bureaucratic compliance or reliance on the "experts." Because they both stress outside-the-system accountability, they are objectionable to the system's many potent insider factions. The marketplace strategy bears the added burden of seeming to cater to "private" interests. For stan-

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dards-based reform to succeed, poorly performing educators must be sanctioned, but most of these are protected by tenure and by muscular unions. On the other hand, experts bring their own problems, notably the fact that governors and business leaders suspect that they have little interest in true reform.

Mixed results

None of these reform strategies has so thoroughly proven itself as to be fit for national adoption. Evidence of success is spotty and ambiguous, partly because the versions tried so far have been limited in size or scope and because the simultaneous use of more than one method has muddied the water and confounded the data.

The approach with the longest history—traditional bureaucratic control by the public education system—is so discredited that it does not even deserve consideration. We have plentiful evidence showing that, while that system sometimes runs good schools, it cannot fix the bad ones. It just keeps them going.

Professionalism has had the second longest run, but public schools almost never cede full authority to their paid professionals. The professional educators don't wield complete control nor are they held to account for the system's performance. As for "guru-led" school designs, there have been many over the past two decades—consider the influence of Gardner, Sizer, Christopher Whittle, E. D. Hirsch, and Robert Slavin—but their teachings rarely are implemented in pure form, never in properly controlled experiments, and they hardly ever yield clear data as to their effectiveness.

Standards-based reform has been the favorite of policy makers since at least 1989, when President George H. W. Bush and the state governors set national education goals. But only a few states have successfully implemented these reforms, and there is much dispute about the effectiveness, unintended consequences, and long-term costs of this approach. The new federal education law rests on the dubious assumption that Washington can make every state follow the Texas example. In Texas, attention from state authorities usually has prompted local leaders to make improvements in faltering schools. But the political culture in the Lone Star State may be unique. In

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Ohio, Maryland, and New York, for example, schools linger for years on state-generated lists of poor performers, yet nobody lifts a finger to change them. In Massachusetts, when it began to look as if test-based sanctions were imminent, an anti-testing backlash set in, fanned by the teachers union. (Massachusetts authorities have persevered, however, and more students are passing the state high school graduation test in successive administrations.) Nor does the federal government have any record of success in imposing this kind of change in resistant states and communities. It provides too little of the public school budget to influence curriculum or standards, and federal officials have not had the stomach to withhold even their paltry grants from poorly performing locales.

As for market-style education reform, it's not a new idea—Milton Friedman first proposed it in 1962—but it has been so controversial that experiments have been small and short-lived. The average charter school is less than three years old, and we have little national data on these schools' effectiveness. Only three publicly financed voucher programs have been put into place, and their constitutionality remains in doubt. Privately funded "scholarships" are more numerous, thanks to generous donors like John Walton and Theodore Forstmann, but their per-pupil amounts are too small to trigger a "supply-side" response from potential school builders. Such scholarships have served primarily to fill empty seats in existing private schools, hardly a fair test of the education marketplace.

If happiness were the ultimate criterion of success, we would embrace market-style reform to yield happier parents, standards-based reform to produce happier business leaders and governors, and professional-style reform to deliver happier educators. But that's the wrong measure. The right measure is the academic gains that these reform strategies produce among children. And on this question, the evidence remains incomplete.

Charter school lessons

Charter schools provide a close-up of all three accountability systems operating simultaneously. These independent public schools of choice must answer to the parents or they cannot survive. But because they are public schools, they are also

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answerable to government for fulfilling the terms of their charters. These charters are typically issued by some public authority (usually a state or local school board, sometimes a university), and nearly always incorporate the state's academic standards and tests as part of the school's accountability terms. Thus charter schools are accountable in two directions: to their sponsoring body for meeting academic standards, and to their "clients," the parents, whose support insures their existence.

Many charter schools also display professional accountability at work. Roughly one-third of the nation's 2,400 charter schools were founded by educators, often the sort of teachers who enjoy running their own school and designing curricula and methods of instruction. Hundreds of charter schools have embraced the "Core Knowledge" program developed by E. D. Hirsch. Others include Edison Schools, "National Heritage Academies," and "accelerated" schools (following the design of education economist Henry Levin).

The best charter schools are those that harmonize the three reform strategies. They embrace a proven educational idea or school design, employ educators who believe in it, and give them considerable freedom to implement it as they think best. At the same time, the schools satisfy their clients on many fronts: accessible staff, plenty of feedback, parental involvement, and small classes. And they work out a modus vivendi with their governmental sponsor such that they are freed from much red tape in return for delivering the results set forth in their charter. Moreover, they do so without going broke or misspending public dollars.

Alas, such schools are rare and, at this point in the evolution of the charter movement, it is not clear how many more of them we can reasonably expect. Schools turn out to be exceedingly complex organizations that must juggle myriad competing pressures. Starting such an institution from scratch is truly daunting. The political compromises that nearly every state has made in its charter law mean that founding a successful charter school entails finding or building a facility, making do with partial funding, and enduring a lot of red tape. Leaders with the inclination, talent, and stomach to do this are rare in primary and secondary education. It seems

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likely that large, franchise-style corporate charter operators such as Edison will predominate, not "mom and pop" charter schools with a few hundred pupils apiece.

What we really learn from the charter-school experience is the precariousness of accountability in education. Standards-based reform is only as good as the quality of a state's standards and tests and the wisdom and toughness of a school's sponsor. The fecklessness of many charter sponsors adds another layer of uncertainty. Many charter schools adopt trendy curricula, silly fads, and ideologically driven practices. As for the marketplace, that works fine when its clients are well informed, demanding, and reasonably sophisticated, and when enough decent school alternatives are available.

Now we have reached the central dilemma of school accountability. None of these approaches is immune to bad ideas, distorted priorities, inept management, or laziness. Every one of them hinges on the sagacity, competence, integrity, and determination of those running it, whether that be governors, education experts, or parents. Each also depends for its success upon the creation of a consistent and even-handed system—the school-accountability equivalent of the "rule of law"—rather than one that is quixotic, unpredictable, and prey to favoritism and politics. Yet the ground rules of all such systems depend in turn upon the wisdom, steadfastness, and deftness of the policy makers who determine how they operate.

Public policy pluralism

American education is today involved in a wide-ranging experiment with education accountability. We now have, in effect, three kinds of schools: conventional public, charter, and private. We also have three different versions of school accountability that are simultaneously working alongside—and often at odds with—the traditional "compliance style" governance of the unreformed public education system. The combinations and emphases vary greatly from state to state, sometimes even school to school. With 50 separate state systems, some 15,000 districts, and about 100,000 schools employing 5 million people and enrolling 50 million youngsters, the system is too large—and the country is too varied—for any one theory of education or education reform to gain universal support or

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prove equally satisfactory everywhere. Viewed from afar, the education system is certainly unsettled. It does not lend itself to clear conclusions or sure prescriptions. That being so, it is less risky to live with the variety of reform strategies and accountability schemes than to impose a single regimen. It may be that the crosscurrents of education politics and the competing priorities of different interests destine this enterprise to permanent untidiness.

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The survival of moral federalism

KIMBERLY A. HENDRICKSON

IN his recently released book *The Implosion of American Federalism*, law professor Robert Nagel openly states what many conservatives have long suspected: American federalism is dead, or at least doomed to irrelevance. The era of small government is over, he writes, and the nanny state in full swing. Ours is a politics of nationalized intimacy, demagogic celebrity, and vapid policy prescriptions. Unlike many conservatives, however, Nagel does not look to the Supreme Court to salvage the situation. The Rehnquist Court's occasional states' rights rulings will not save the day. Indeed, the current justices are far more concerned with their institutional prestige than they are with local prerogatives.

Nagel's book—like much of his writing—is a condemnation of the hubris of the American legal community. He debunks the popular notion that judges, lawyers, and law professors deserve a starring role in the political process or pride of place among the nation's intellectual elite. He notes the dam-

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age "lawyerthink" has done to deliberative democracy, cultural norms, and above all, federalism. This critique, no doubt, will offend the legal cognoscenti, but there is another, more damning indictment in *Implosion*: Federalism is doomed from within. According to Nagel, Americans today lack the intellect, fortitude, and character to sustain a dual-sovereign system. As he explains, Americans "see their president as an intimate father figure, their Congress as a bottomless guarantor of material welfare, and their Supreme Court as a church-like arbiter of moral truths." The result? "Political dialogue at the state level tends to be bland, insubstantial, derivative, and unserious."

Nagel's indictment of Americans is persuasive. His recapitulation of our now-familiar character flaws is depressing but hard to dispute: We *are* rights-obsessed, atomistic, and intellectually indolent—despite signs of improvement since September 11. But his lament neglects a countervailing trend. What he underestimates, and what many discouraged friends of federalism have yet to discover, is a resilient strain in local politics that remains alive and kicking.

Moral federalism

When fundamental questions of right and wrong are thought to be at stake, as in issues such as abortion, euthanasia, affirmative action, and homosexual marriage, local voters are highly engaged. Plebiscitary democracy is on the rise across the nation, fueled, in no small way, by the growing use of initiatives, which bring measures directly to the voters, and referenda, which challenge legislative enactments. In the past decade, Alaska, California, Colorado, Hawaii, Maine, Nevada, Oregon, and Washington have all passed medical-marijuana laws thanks to citizen initiatives. Likewise, citizens in Maine, California, Oregon, Washington, and Michigan have voted on assisted-suicide measures. Initiatives defining marriage in traditional terms have been passed in 33 states, and gay-rights measures have been voted on in six. While many of these initiatives reflect something other than grassroots activism (such as strategic legislative sponsorship or the encouragement of wealthy advocates), this activity, taken as a whole, debunks the notion of a lethargic, unmotivated citizenry lulled to sleep by *parens patriae*.

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Voters, furthermore, are not the only actors energized by moral questions. State politicians are active, aggressive, and even defiant of federal standards when it comes to morals regulation. Nagel himself refers to the Pennsylvania legislature's late 1980s rebellion on the topic of abortion regulation. It might be noted that approximately 40 other states have chipped away at the Supreme Court-mandated abortion right through parental notification laws and bans on partial-birth abortion procedures. The Supreme Court has taken a liberal view of criminal-defendant rights as protected by the Fourth, Fifth, Sixth, and Eighth Amendments, while state legislators have devised victims-rights and mandatory-sentencing laws to counteract these requirements. Even racial preferences—that most national of moral issues—has prompted rebellion at the state house. Florida governor Jeb Bush and his elected cabinet voted to end affirmative action in college admissions in February 2000; similar rollbacks in California and Washington were also the products of citizen and legislative frustration.

Political scientist Christopher Mooney confirms this trend and provides an explanation. Gaps between federal moral norms and local community norms—however small—fire local politicians into corrective action. It is easy to understand why: The media enthusiastically covers stories about morally provocative rules; politicians, in turn, are loath to ignore incongruities between law and community opinion. State judges, too, are a part of this reactive process. Visitors to the Alabama Supreme Court are greeted by a granite sculpture of the Ten Commandments as they pass through the rotunda. Chief Justice Roy Moore, who takes a special pleasure in skirting First Amendment norms and tweaking the ACLU, explained shortly after the unveiling, "I'm the highest legal authority in the state, and I wanted it there. Doesn't it look great?"

In sum, federalism remains very relevant when it comes to regulation over moral issues. Citizens and state officials have maintained their independent spirit and relish a good, if lopsided, fight against federal standards. Before exploring this phenomenon, it is important to state what "morals politics" is and what it isn't. This kind of politics is fueled by immediate moral concerns, of course, but it may have other objectives. The rhetoric of virtue and vice may be put in service of

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utilitarian objectives and may reflect political spin more than actual policy content. Americans have little problem mixing pragmatic concerns with absolutist moral language. Will a state lottery pay for a new gym at the local elementary school? Will ridding a neighborhood of porn shops reduce crime and vagrancy in the area? In sum, morals politics may be important for reasons that are not directly moral.

Moral politics, old school

Regulation in the service of morality is nothing new on the American scene. It has been an integral part of our politics since the colonial era. In *Democracy in America*, Tocqueville considers the creative flair colonists had for penal law in seventeenth-century New England. "The chief care of the legislatures," he notes, "was the maintenance of orderly conduct and good morals in the community: They constantly invaded the domain of conscience, and there was scarcely a sin which was not subject to magisterial censure." This union between religion and politics was the essence of local regulation: Religion directed the customs of the community and thereby shaped the laws of the state. Tocqueville also notes that laws regulating morality were not the product of force. Nor were they grudgingly accepted. These laws, freely voted on, were the natural products of democratic enthusiasm.

New England Puritans saw local government as a vehicle for citizen improvement. Decentralized morality was appreciated elsewhere because it encouraged peaceful relations. Certain political issues, taxation most infamously, were controlled by central authority under the terms of Royal Charters. But after the 1689 Act of Toleration, religious issues, and therefore moral issues, were left almost entirely to local discretion. The absence of central instruction eliminated a point of tension between the colonists and their English overseers.

It also kept people who despised each other out of firing distance. Religious and moral decentralization encouraged strong regional identification. Catholics grouped in Maryland, Quakers grouped in Pennsylvania, and some colonies, like New Jersey and Rhode Island, attracted advocates of religious freedom. This regionalism, in turn, encouraged self-selection. A

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Baptist living in Massachusetts had little chance of changing the mores of his community; he could, however, find beliefs more to his liking in a neighboring colony. (Less pleasantly, he might be forced from his township into whatever colony would receive him.) Among the colonists, then, an early variant of live-and-let-live proved agreeable and effective: Obey God's moral laws however you see fit—just do so within your community's borders.

The benefits of keeping morality and religion localized—such as improving the character of citizens and keeping the peace—were not lost on post-Revolutionary Americans. The delegates to the Constitutional Convention of 1787 wished to keep the federal government out of the messy business of civic virtue as much as possible. The Constitution leaves questions of day-to-day morals regulation—part of the local power of "police"—almost entirely to the states, letting them gauge the relative need for peace or virtue among their populations. This approach was hardly surprising. National control over issues like morality would have been, practically speaking, impossible at the time the Constitution was drafted. But the principles underlying the Founders' defense of federalism in this context are worth recapitulating.

As Madison explains in *Federalist* 56, there is a great diversity in the "progress of populations." Different citizens require different types of regulation. The new government had better things to do than educate itself about the different needs of Rhode Islanders and New Yorkers. Authority over internal affairs, as Hamilton quipped, would be "as troublesome as it would be nugatory."

More importantly, though, the decentralization of "minute" powers, like moral oversight, creates strong allegiances within communities. Debating and creating rules about subjects of immediate concern attaches citizens to their government and to each other. This, according to Hamilton in *Federalist* 17, is the "great cement" of political society. In his words, the "strong propensity of the human heart find(s) powerful auxiliaries in the objects of State regulation." Local administration—and, in particular, the administration of justice—is "the most powerful, most universal, and most attractive source of popular obedience and attachment." This kind of attachment counteracts

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the threat of tyranny, as citizens commonly guard against outside threats and protect each other's prerogatives. It requires vigilance and self-sacrifice, and promotes commitment to a shared good. Local control over morals, like local control in general, encourages republican virtue.

If anything, local morals legislation increased in the decades after the Founding. As the political scientist John Dinan has noted, state constitutional conventions in the eighteenth and nineteenth century were preoccupied with citizen improvement. Delegates seem to have taken no task more seriously than that of influencing their fellow citizens' behavior. While the role religion played in the inculcation of virtue was the subject of extensive debate—should officials take religious oaths? should states embrace the principle of anti-establishment?—the importance of morals regulation was never called into question. Provisions were enacted, with fanfare and frequency, restricting venal behavior such as gambling, drinking, and lotteries, and promoting virtuous action through the creation of public schools and through government subsidies to religious organizations.

At the legislative level, representatives were no less enthusiastic about their character-forming obligations. Criminal codes and statutes prohibited everything from the indecent (swearing, solicitation, card-playing) to the shocking (public nudity, bestiality, corpse-stealing). Some variants of immoral behavior, such as drunkenness and prostitution, were controlled through civic and common-law mechanisms such as licensing, inspection, and seizure. As for punishing these offenses, the same democratic spirit Tocqueville describes in colonial townships manifested itself in jury boxes. While jurors used their authority to let sympathetic defendants off the hook, there was generally little lenience for citizens who rebelled against common moral standards.

Two generalizations can be made about the local police powers to regulate morals as they developed throughout the nineteenth and early twentieth centuries. First, the necessity for such powers was based on a belief that humans are sinful, and that sin must be countered by legal sanction. Public force, in addition to private suasion, was necessary to restrain vicious and all-too-human tendencies. Second, it was based on

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the notion that a community good exists, and that this good must often supercede individual interests. As the state temperance and prohibition movements aptly demonstrate, earlier generations of Americans viewed individual rights in a broader perspective. While both the right of the imbiber and the right of the liquor manufacturer were seriously considered (particularly by state judges), citizens generally valued community standards above competing considerations.

Moral politics, new school

Although the term "moral police power" may seem unfamiliar, it remains a feature of American politics. Blue laws, sodomy laws, anti-swearing laws, and bigamy prohibitions remain on the books in many states or have only recently been rescinded. Contemporary versions of ancient vices are objects of enthusiastic regulation: Internet pornography, video poker, fetal research, international child labor. Religious beliefs continue to inform morals politics—Catholic bishops oppose legalized gambling in New York, to the chagrin of Governor Pataki—as do modern, secular notions of virtuous and nonvirtuous behavior. Local regulation of tobacco advertising is, for many crusaders, part of a larger attack against unclean and unhealthy living. Municipal speech codes and hate-crimes legislation reflect a contemporary intolerance for the scourges of sexism and racism.

It may be said, then, that a traditional moral police power persists, based on old and new understandings of immorality that attempt to restrain human behavior. In addition to this variant, however, there is a second strain of morals law, increasingly popular in American politics, that substitutes a "yes" for a "no" as its operating principle. While restraining morals law aims to control and channel, "liberating" moral law aims to empower and vindicate. Restraining law is judgmental; liberating law assumes that to judge itself is wicked. Individuals should be allowed to choose among behaviors however they see fit. Liberating law reflects the view that the highest human end is personal choice.

Liberating laws, in short, aim to liberate individuals and groups from behavioral restrictions. By protecting specific types

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of conduct once thought of as disgraceful, such as sodomy, getting high, and panhandling, these laws protect the rights of unpopular citizens—homosexuals, drug users, and vagrants. We do not tend to think of supporters of these laws as moral crusaders, but they are as moralistic as earlier generations of reformers. They defend freedom and choice as ends in themselves, and frequently, as absolute moral principles. Indeed, supporters of these laws are more ambitious than earlier reformers, for liberating law challenges long-accepted values and customs.

The influence of liberating morality has been powerful. An ordinance in New Jersey forbidding the Boy Scouts to discriminate based on sexual orientation, for example, has had negligible effects on homosexuals—outings of Eagle Scouts, one guesses, are rare—but its impact on the organization has been considerable. The Boy Scouts have suffered national embarrassment, funding withdrawals, and school-exclusion orders. Similarly, California's medical-marijuana law never had much impact, and the ordinance was soon blocked by federal injunction. But the law has encouraged serious debate about drug legalization at the state and national level, and it may ultimately lead to the reclassification of marijuana in the federal criminal code. The recent spat between John Ashcroft and the Attorney General of Oregon over the state's "Death with Dignity Act" has caused many to question federal oversight of local physicians.

Liberating laws are phrased in the language of rights: my right to take hallucinogens, or to be a Scout leader, or to be free of discrimination. This is hardly surprising. Rights are our common moral tongue, the vocabulary by which most Americans communicate notions of right and wrong, dignity and justice. While rights have long been a staple of America's moral discourse, they have taken on a new intensity. In previous generations, individual and group claims were highly valued, but (as in the case of temperance and prohibition) they were considered in relation to community interests. A right may have been in harmony with the larger society's preferences or it may have clashed with those preferences. In either case, it was understood as one of many competing claims that

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had to be judged and measured.

The new understanding of rights suggests that community interests are hardly worth considering. For example, euthanasia is considered to be a moral good because it validates the right to die and individual preference. Its effects on the larger community are, for its supporters, a secondary consideration. Gay marriage is morally appropriate because it recognizes a right to choose; community disapprobation is deemed backward, inconvenient, and irrelevant.

It is tempting to distinguish sharply between restraining and liberating regulation. In one corner is the "no" born of religion and tradition; in the other corner is the "yes" produced by a live-and-let-live nonjudgmentalism. Frequently, advocates of the latter go toe to toe with proponents of old-school prohibitions. Supporters of gay marriage fight constantly with religious conservatives; right-to-lifers are at the throats of those who defend the right to choose.

But this tension is easily overstated, for the two types of law can coexist in the same community. Liberty-loving Vermont, known for its acceptance of gay marriage and iconoclastic politicians, is less known for its ban on sexually explicit behavior on the Internet. Likewise, Indiana, a state that proudly supports curfew laws and public displays of the Ten Commandments, requires that its law-enforcement agents be particularly sensitive to the race, religion, disabilities, and sexual orientation of crime victims. Indeed, the different values informing the two laws often coexist in the same person.

Furthermore, religious leaders, historically the defenders of prohibitive morality, now often speak in the language of rights and moral liberation. As the Reverend Steven Fourrier, arguing for the permissibility of Bible clubs in elementary schools, explained to the *New York Times*, "What people don't understand is if you're going to enjoy your rights, you have to let others enjoy theirs. You can't pick and choose what speech you like and don't like." Similarly, state legislation passed to promote religious freedom (modeled on the Religious Freedom Restoration Act, a federal law eviscerated by the Supreme Court in 1997) is designed to strengthen the rights of believers who define their causes in terms of aggrieved special

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interests. Religious privileges, such as exemptions from zoning laws, are defended as necessary for the causes of freedom and nondiscrimination.

Red and blue

Despite this overlap, moral preferences can vary dramatically, and they do so in recognizable patterns. Americans do not like to think of themselves as predictable, let alone predictable on a regional basis. This may be why many commentators made so much of a color-coded map of voting behavior after the last presidential election. When votes were plotted, in Republican red and Democrat blue, it became clear that party affiliations are not distributed across the nation like snowflakes shaken in a plastic bubble. Those who live in cities—especially the largest cities—overwhelmingly vote Democratic while rural areas and metropolitan fringes are mainly Republican. Partisanship not only correlates to population density but also to region: Democrats congregate on the east and west coasts, while Southerners are generally Republican.

The red and blue map is interesting as a colorful reminder that regional differences still matter in national elections. The picture becomes more revealing, though, when one discovers what characteristic members of each color most frequently have in common. Exit polls and post-election surveys show that partisan preferences are closely linked to religious affiliation. With some notable exceptions—Jews, black Protestants, Hispanic Catholics—voters who identified themselves as members of a mainstream religion overwhelmingly voted for George W. Bush. Eighty-eight percent of Mormons, for example, and 84 percent of "observant" white evangelical Protestants supported the current president. The same holds true for those who regularly (once a week or more) attend religious services. Those who call themselves "secular" favored Al Gore by 65 percent; 80 percent of "other non-Christians" did the same.

While religious commitments do not perfectly line up with partisan affiliations, many analysts think the correlation is suggestive of a fundamental cultural rift. As Michael Barone has written, we are two nations with "diametrically opposite views of what is decent and moral." So much for the assumption that a mobile, commercial culture wipes out regional mores:

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When given the choice, we group ourselves by common values and thus ensure the continuation of regional differences.

Failed homogenization

One of the most interesting things about the persistence of moral regionalism is that the odds are so heavily stacked against it. Variation of this sort should have been wiped out long ago by centralized moral instruction: The national government has not been shy about imposing its vision of appropriate behavior on local communities, nor has it hesitated to deliver penalties when its instructions go unheeded. Congress discovered its own police power—in contrast to the states'—during the Progressive Era. Since then, it has promoted its moral goals through labor, criminal, and, most frequently, civil-rights legislation. From the 1950s forward, local resistance to national moral standards—specifically, nondiscrimination—became a mark of depravity, proof that local officials could not be trusted on important social matters. Moral federalism should have met its end in September 1957, when President Eisenhower dispatched the 101st Airborne division to show Governor Faubus the real meaning of political correctness. Indeed, for many years, state moral independence was itself morally tainted.

Federal courts have been active in stamping out moral diversity in the pursuit of national ideals, at least since Reconstruction. Constitutional guarantees of "due process," "equal protection," and "privileges and immunities" were designed to give federal judges, for the first time, the ability to strike down state police regulations. (State moral backwardness, after all, caused the mess the Amendments were designed to remedy.) Judicially enforced rights were used to supercede local laws throughout the twentieth century. The high point of this process came during the three decades after the Second World War, when the Fourteenth Amendment was used, among other things, to strike down local laws regulating pornography, welfare, marriage, incarceration, and contraception distribution. As Justice Douglas lamented in the early 1960s, "The chronicles are filled with sad attempts of government to stomp out ideas, to ban thoughts because they are heretical or obnoxious." Local morality, one would think, didn't stand a chance when pitted against progressive national standards.

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The tradition continues. Even the Rehnquist Court, as Nagel points out, is generally hostile to moral diversity. While some of the conservative justices support local police measures when borderline rights are involved (such as loitering or nude dancing), the justices overwhelmingly value individual liberty over local discretion when recognized rights are threatened. This is not odd at all, when one realizes that the Court's defense of federalism is not a defense of state power. It is a defense of limited government, at both the national and state level (or, as Nagel would have it, a defense of limited government so judges can rule with minimal interference).

Just as political and legal forces are aligned against moral federalism, so too are intellectual trends. Moral diversity is not something academic or political journals tend to favor: It works against the aims of many ideological programs. Moral federalism, as earlier examples show, expresses itself in frustrating ways: It is messy, factious, and virtually impossible to control. From the perspective of conservatives, moral federalism has a lousy track record. The legalization of once-illicit activities, such as euthanasia and drug use, flies in the face of order and tradition, while local ordinances sanctioning homosexuality, no-fault divorce, and gambling threaten traditional religious principles. On a deeper level, conservatives distrust moral federalism because it is excessively democratic. It is often driven by popular impulses, not debate, expertise, or reflection.

It is understandable, too, why some liberals dislike this kind of politics. Local morality can produce results at odds with the values of contemporary liberalism. As noted, religious groups have become adept in their use of liberating language. More moral federalism means more Ten Commandment displays, more after-school prayer clubs, more faith-based civic exemptions. It also means more prohibitive legislation. Defense-of-marriage laws are far more popular than gay-marriage laws; abortion restrictions are far more popular than laws that make the procedure more accessible. Pragmatic liberals want to keep decisions about moral issues in the federal courts, instead of at the mercy of local opinion. Besides, the concept of moral federalism is at odds with the liberal belief in universal human rights. Libertarians also oppose moral federal-

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ism, of course: It presupposes the legitimacy of moral politics. As CATO Institute Vice President David Boaz explains, governments should exist only "to protect rights, to protect us from others who might use force against us." There is little leeway here for a politics that aims to improve its citizens. The communitarian dislike of moral federalism, on the other hand, is more complicated. Though they celebrate localism and communal norms, two central elements of local moral politics, communitarians, if one takes Amitai Etzioni's "Communitarian Manifesto" at face value, want to avoid their program's prickly implications:

> We hold that a moral revival in these United States is possible without Puritanism; that is, without busybodies meddling into our personal affairs, without thought police controlling our intellectual life. We hold that people can again live in communities without turning into vigilantes or becoming hostile to one another. We hold that our call for increased social responsibilities ... is not a call for curbing rights. On the contrary, strong rights presume strong responsibilities.

But moral federalism is not possible without "busybodies," puritanical or otherwise, meddling in personal affairs: A community that believes in right and wrong also believes in rooting out transgressors. Nor can there be a moral "revival" where everyone remains friendly. Communitarians must recoil from moral federalism if they are to maintain their genteel vision of local politics.

Moral federalism, then, is challenged by an impressive combination of political, legal, and ideological foes. Defenders of the original constitutional framework may be the only ones willing to support it. But should they? Can dire predictions for federalism be offset by local moralism? Is moral federalism federalism's saving grace, or at least something worth defending?

Moral politics defended

To answer these questions, we need to return to the original justifications for moral federalism. Local control of morality was defended, from the colonial era onward, as a means of inculcating virtue, keeping the peace, and encouraging civic participation. Whether it has indeed made us more virtuous is

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debatable, but it has certainly helped to preserve a measure of comity throughout the nation.

Michael Barone, as noted, believes our country is split into opposing red and blue camps—a perspective shared, in varying degrees, by Gertrude Himmelfarb, Terry Teachout, Francis Fukuyama, and others. If this description is even partially true, we should be grateful to moral federalism as a vent for frustration. The appearance of a granite sculpture of the Ten Commandments in an Alabama courthouse may be more than an act of mischievousness. It may actually quell anger against moral opponents and help to keep relative peace. Moral federalism ensures that any impending culture war remains at the level of moral differences. As the American colonists realized, nothing promotes a live-and-let-live mentality more than borders and exit rights.

But the ultimate end of moral federalism, at least for Hamilton and Madison, was not to prevent conflagrations. It was to encourage citizen involvement, responsibility, and camaraderie. Without these, the Federalists maintained, there was no chance for lasting self-government. It is here that the distinction between restraining and liberating moral politics becomes tremendously important. The former encourages the character traits necessary for self-rule, while the latter encourages traits that work directly against it.

Inherent in restraining moral laws is the assumption that individuals are parts of a larger whole. A government sanctioned "no"—don't smoke, don't gamble, don't litter—forces citizens to subordinate their autonomy for the good of the community. Restraining laws by their nature imply that human beings are capable of wrongdoing and that, consequently, personal judgment cannot be an absolute standard. Moral federalism implies that governing in itself is vitally important. A law of this type, such as a ban against cloning, may or may not inculcate virtue, but it does suggest that communities have the responsibility of self-rule and citizens have the responsibility of self-restraint.

Liberating laws, in contrast, are inherently hostile to government. Restrictions based on shared norms are often thought of as backward or mean-spirited; government attempts to enforce norms are considered oppressive and obtrusive. The rights-

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based sentiments behind these laws may be perfect for a voyage of self-discovery or defending minority interests, but they have not done much to cement fellow-feeling and respect for local institutions.

The value of moral federalism will depend on the pull and tug between restraining and liberating morals law. The present rebellious streak in local politics in favor of restraining morals law is good news for American democracy. Should liberationism eventually prevail, however, it will mean not simply the triumph of one party in the culture wars. It will also dim the prospects of genuine self-government in America.

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Lipset's big question

NATHAN GLAZER

SEYMOUR Martin Lipset and Gary Marks' *It Didn't Happen Here: Why Socialism Failed in the United States*† represents Lipset's most recent and most substantial entry in his 50-year effort to understand why socialism made no great impact in the United States, while it succeeded—in the sense of creating mass parties with opportunities to govern—in the other major industrial societies. (Since I will consider this book in the context of Professor Lipset's involvement with this problem through his entire professional life, I hope Gary Marks will forgive me for using the shorthand of referring to the book as Lipset's, with the understanding that Marks is a full co-author.)

In his very first book, *Agrarian Socialism* (1950), Lipset examined how a socialist party won an election and formed a government in a Canadian province—and by direct implication, why no socialist party has ever come close to winning an election in an American state. (Socialists did govern for a time in a few American cities.) His second book, *Union Democracy* (1956), with Martin Trow and James Coleman, took up a central theme in the study of this problem—the difficulty of maintaining democracy in socialist parties and unions against the power of bureaucracy. This issue, first raised by Robert Michels, troubled many young socialists of Lipset's generation. Lipset's third book, with Reinhard Bendix, *Social Mobility in Industrial Society* (1959), considered another explanation for the failure of socialism in the United States—namely, that because of the greater opportunities for individual social mobility avail-

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This review is an edited version of a paper presented at the Eastern Sociological Society annual meeting in Boston in March 2002 at one of a number of sessions honoring the work of Seymour Martin Lipset.

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able in the United States, socialism, with its promise of raising the position of the entire working class, had less appeal here than in other industrial democracies. The comparison with Canada in his first book has been pursued in later works, most extensively in *Continental Divide* (1989). In these writings, Lipset has explored the differences that make Canada more friendly to social democracy and the welfare state, and the United States much more skeptical of them.

These questions are tangentially addressed in many of Lipset's other works. His books on the United States—from *The First New Nation* (1963) to *American Exceptionalism* (1996)—consider other factors in the failure of socialism in this country: the force and continuity of the distinctive American values of individualism, egalitarianism (of a special American cast), and antistatism. Of course, it would be foolish to say that the single motivation of Lipset's large and impressive body of work has been plumbing the problem of why the United States never developed a strong socialist party, for there have been other major themes in his scholarship—the politics of university faculties and students, the student revolt of the sixties, the sociology of American Jews, and the large sweep of issues raised by democracy and by challenges to democracy.

BUT I am particularly attuned to Lipset's central interest in socialism because I shared it for some years. We met as students at City College, both taking the same route from the East Bronx by elevated line and subway to 137th Street on the West Side of Manhattan. Lipset was a socialist and a member of a socialist youth group. I was also a socialist, though of a different group and somewhat different persuasion. It was not long before the failure of socialism to make headway in the United States engaged our interest, since that philosophy was so attractive to so many students of City College, and so powerful in the neighborhoods from which we came.

I will confess I lost interest in the question sooner than Lipset did. I was impressed by the arguments of others of our generation and acquaintance who stopped being socialists sometime in the 1950s or 1960s. It is true that there were people who stopped being socialists in any meaningful way but who were never able to give up the name. Sidney Hook called himself a socialist long past the time when other socialists would acknowledge him as one. I myself was influenced by the analyses of Philip Selznick and Irving Kristol, who had been

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members of a Trotskyist group. They moved from a position common to all of us young socialists—which recognized the Soviet Union as a monstrous abortion without any redeeming socialist or democratic attributes—to one which questioned some key assumptions of socialism.

I recall that I was particularly persuaded by another defector from socialism, Martin Diamond, who went from working for a socialist organization to studying political philosophy, and who wrote a thesis, unpublished but circulated in manuscript, on why socialism failed. Diamond had no interest in the sociological, political, or cultural arguments regarding socialism's absence in the United States, the kind of arguments to which Lipset has devoted lengthy research and sustained thought. Instead, Diamond presented the strong and stark position that socialism failed because it was simply wrong—wrong in its assumptions of what moved human beings, wrong in its assumptions of what made for a good society. This answers the question of how and why an idea that is wrong fails, but not that of why the socialist idea gained wide and fervent support, and still holds that support, long after theory and practice have shown that it is wrong.

Martin Diamond does not appear in the extensive list of references in *It Didn't Happen Here*, though I am sure Lipset knows his argument. When one considers the book from the standpoint of intellectual history, of our changing understanding of why socialism failed in the United States, *It Didn't Happen Here* is rather silent. Key works in this extended debate—books by Daniel Bell, Philip Selznick, Theodore Draper, and, let me add, not a key but a relevant book by me (*The Social Basis of American Communism*)—are dated in the footnotes in their republished later editions, not in their first editions. The time of first publication of a book or article, however, would better indicate its place in a debate we seek to understand.

THE key distinction between Lipset and his fellow socialists or ex-socialists in the treatment of the problem of socialism is above all his commitment to an empirical analysis, as opposed to the use of large arguments in an analytical, polemical, or rhetorical mode. Lipset asked: What evidence can we employ to argue in favor of one or another of the theses regarding why socialism failed in the United States? Such evidence is masterfully deployed in his latest book, particularly

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through a comparative approach that examines whether each specific thesis holds up generally across a range of nations. Lipset's is a scientific analysis of the question. And further in contrast with others of his generation, his personal values, commitments, and orientations are rigorously excluded or suppressed. The book follows strictly the Weberian distinction between fact and value.

Thus one will not find in the book any expression of either regret or satisfaction that "it didn't happen here." One indeed will not discover from the book itself whether Lipset considers himself a socialist or not, and if he does not, when he stopped considering himself one. (Daniel Bell famously still clings to the label, when it comes to the purely economic sphere.) And yet hovering over this strictly empirical analysis is a point of view that I think expresses some regret, not so much that socialism in its strict form failed to be implemented in the United States, but that the United States lacks what we might call the afterglow remaining when large socialist parties lose their supremacy in a country. Lipset is one who might have held onto the socialist appellation long after most of his comrades had abandoned it.

WHY did Lipset stick with the subject so long? Does it really matter anymore? When socialism—taken as an analysis of the ills and contradictions of capitalist democracy and a set of proposals to overcome these ills—has more or less failed everywhere else, does it matter that it failed earlier and more completely in the United States? I should acknowledge an ambiguity in the simple formulation that "socialism has failed." One can distinguish socialism as a theory, ideology, or analysis from socialism as a political movement, and argue that while it failed in the first sense, it succeeded in the second. Parties that are in some measure socialist, if only in their own self-image, are powerful forces in other industrial democracies, and govern in many of them. Socialism failed in both respects in the United States.

So then, was it worth investing this amount of energy in the issue when socialism as an ideology has been given up almost everywhere? I think Lipset gives the best answer in his book. He recognizes that

> the absence of a socialist party no longer differentiates the United States from Western European and [the] other English-speaking democracies. Over the past two decades, socialist and labor par-

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> ties have dropped statist economic policies that they inherited from their socialist past. The policies of most of these parties are not very different from those of the Democratic party [in the United States]. They wish to regulate capitalism, not transform it.
>
> Yet the United States remains as different from other Western democracies as it ever was. Taxation, social spending, and public spending in general are exceptionally low in the United States, as is the level of union organization.

How are we to explain these continuing differences? Lipset asserts that

> these features of public policy are intimately linked to the historical events described in this book. Comparative studies of public policy reveal that the organized strength of a society's lower class is intimately influential in its public policy.... The inability of American socialists to create a durable labor or socialist party is not a historical quirk of a bygone era. On the contrary, it is a powerful influence on the present.

I agree, as do many others. Derek Bok, in his recent book *The Trouble with Government*, points to the distinctively weak efforts of American government in support of the poor and those with low income, when compared with other major industrial democracies. And if Americans generally are not interested in socialism's failure in the United States,[1] many are concerned by weaknesses in the country's welfare state, which is much less protective than those of Europe, and by the great degree of economic inequality that prevails here. Both are a consequence (in Lipset's analysis) of the failure to develop a strong socialist party in the United States.

THE issue is thus not simply one of musty historical interest. At Harvard, a large interdisciplinary seminar on the issue of inequality in the United States has been meeting for three years under the joint chairmanship of Christopher Jencks and Katherine Newman, and there is no indication it has yet exhausted the widespread interest in this question. The first

[1] The question of why socialism failed still engages many writers and scholars: On May Day of this year, a conference entitled "Socialism: What Happened? What Now?" was held in Washington, organized by Penn Kemble, and with the participation of Joshua Muravchick (who has just published his own book on why socialism failed), Hendrik Hertzberg, Jeane Kirkpatrick, Paul Berman, Sandra Feldman, and others. Some of the participants listed would call themselves socialists, and all think the subject is worth talking about. Had Lipset been well—he is recovering from a stroke—he very likely would have been a central participant.

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issue of the remodeled *Daedalus*, the journal of the American Academy of Arts and Sciences, is devoted to the subject. And a recent major systematic analysis by some leading economists, Alberto Alesina and Edward Glaeser of Harvard and Bruce Sacerdote of Dartmouth, on why the United States does not have a European-style welfare state, again brings us back to the issue of why socialism failed to take root here.

The economists' analysis, which appeared in a recent issue of the *Brookings Papers on Economic Activity,* closely parallels that of Lipset and Marks in *It Didn't Happen Here*. They accept, as Lipset does, that in a democracy the views of the people will ultimately prevail. The question is, why does not the degree of inequality, extreme in comparison with other major democratic and wealthy nations, express itself in a greater demand by those at the lower end of the income distribution for more extensive welfare policies? Neither the economists nor Lipset and Marks think the explanation is "false consciousness," an instance of the media and the business classes pulling the wool over the eyes of the gullible masses. Is the explanation that there is greater social mobility in the United States, and more opportunity to get ahead even if one is far down in the income distribution? The economists refer to recent studies that confirm the conclusion Lipset reached long ago—the evidence on greater social mobility in the United States is ambiguous. But the evidence that Americans *believe* there is greater social mobility and opportunity in the United States is very strong. Americans, surveys show, favor equality of opportunity over equality of results, while the reverse is true for Europeans.

Is the explanation to be found in the political structure of the United States, the role of its electoral arrangements, with single-member districts instead of proportional representation, that favor a two-party system? This is a theme Lipset has taken up many times, and takes up again in *It Didn't Happen Here*. The economists' regressions show that proportional-representation electoral systems are indeed connected with more redistribution. Of course, there is an intermediate factor between proportional representation and more redistribution, a political mechanism that permits one to lead to the other—however, such historical variables are not easily measured by the economists' methods. But they specifically consider the question of whether "the absence of a large and cohesive socialist worker's movement in the United States" explains the lower degree of redistribution in the United States. And here

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they refer to the explanations offered in *It Didn't Happen Here*, in particular the effect of waves of immigration on the cohesion of the American working class, the role of the two-party system in preventing the rise of third parties, and the role of federalism and the U.S. Constitution. In all this they lean heavily on Lipset and Marks. But they conclude that "all political rules are in some sense endogenous and the outcome of deeper features of the country in question."

The economists are driven to what Lipset calls "deep values" expressed in attitudes, or what the economists call "behavioral explanations," and they pretty much come to Lipset's conclusions. The comparative opinion data strikingly show that Americans are more individualistic and more critical of state guarantees, and that their egalitarianism, which is strong, is different from the egalitarianism of other industrial democracies. It is one that is committed more to "equality of opportunity," as advanced by a good education system and an open economy, than to "equality of result." American exceptionalism remains alive and well in the economists' analysis, as in Lipset's.

BUT there is one additional factor in Alesina, Glaeser, and Sacerdote's explanations, an element almost absent from Lipset's analysis: race. In *It Didn't Happen Here*, race is subsumed under the general theme of the ethnic diversity of the American working class and its impact on class cohesion, but little is said specifically of the black-white division in the American working class and in so much of American life. The economists use regressions, relating social expenditure to a measure of "racial fractionalization" among countries, to show a connection. And their regressions also demonstrate a connection between the percentage of blacks in individual American states and support for welfare in those states. "Racial fragmentation in the United States and the disproportionate representation of ethnic minorities among the poor clearly played a major role in limiting redistribution," they write.

Of course, Lipset and these economists were not focusing on the same question. Lipset asked why no major socialist party developed in the United States; Alesina, Glaeser, and Sacerdote asked why there is no European-style welfare state in the United States. The first is clearly anterior to the second, in both analyses. And both agree that had there been a major socialist party, the outcome regarding the welfare state and inequality would have been different. Are the economists too impressed by the role of race? Have Lipset and Marks

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given insufficient attention to it? This is not the kind of matter that can be settled by a regression, however well conducted, between a measure of "racial fractionalization" in countries and the degree of redistribution, nor one between the percentage of blacks in a state and the welfare allowance, particularly since it is not easy to assign a measure of "racial fractionalization" to countries. Perhaps Lipset and Marks should have given more attention to the race factor. But it is not possible to rate quantitatively all the elements that prevented a strong socialist party from developing in America.

I RETURN to a question I raised earlier. Where does *It Didn't Happen Here* stand in relation to the debate about the failure of socialism which engaged Lipset and so many of his generation for so long? The book is a resolutely empirical analysis, displaying an enormous range of data, historical and current, in a large comparative framework. Nothing (or almost nothing) bearing on the debate seems to have been missed. But even in the most thoroughly scientific work, there is a reason why one subject has been taken up rather than another. I commented above that it is hard to detect a note of either regret or satisfaction in this book over the failure of socialism. Still, one senses some regret on Lipset's part that the circumstances that would have created a more equal America did not emerge here. In that respect, while I doubt Lipset would call himself a socialist, I don't think he would reject the label of "social democrat," even if a somewhat conservative one.

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Liberalism and diversity

JAMES Q. WILSON

WILLIAM Galston, a professor at the University of Maryland and a former advisor to President Clinton, has for many years staunchly defended liberal democracy against its critics. Since most Americans, whether Republican or Democrat, are "small-l" liberals in Galston's sense—believing in a limited state that allows individuals and groups to pursue their own ideas of a good life—against whom is he arguing in his latest book, *Liberal Pluralism: The Implications of Value Pluralism for Political Theory and Practice*?†

For starters, against other philosophers who have different views about what principles should underlie a decent state, and even more against those who pursue policies that attempt to narrow unduly the scope of human expression. His interlocutors range from neo-Aristotelians who are preoccupied with defining the good life to John Rawls and his egalitarian defense of democracy. Against these views, Galston defends diversity as a cornerstone of the liberal state—not the diversity supported by advocates of group politics and racial or sexual quotas, but a broader kind encompassing the full range of human experience.

His defense of diversity makes Galston a critic of a widely accepted belief that a democratic government must place the highest value on individual autonomy or self-direction. Many readers will not see much difference between these two views of liberalism, assuming that diversity follows naturally from individual self-direction. Yet, as Galston points out, a government that promotes individual autonomy will often find itself in conflict with people who think that this ideal is an inadequate or wrong-headed basis for a good life.

Consider the following example: An engineer is hired by a gymnasium run by the Church of Jesus Christ of Latter-day

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Saints. The church insists that the engineer be a fellow Mormon. The engineer complains that his duties have nothing to do with religion and that therefore the church's insistence is a violation of section 702 of the Civil Rights Act of 1964 that prohibits discrimination on the basis of religion. The engineer's view is fully in accord with the argument that liberalism rests on individual autonomy.

But when the Supreme Court heard the case, it decided that another provision of the Civil Rights Act, section 703, carried more weight in this situation. This section holds that religious organizations are exempt from section 702, and that consequently a church (though not the government) can insist on religious fidelity among its employees, even if they are only engineers in a gym that the church manages. Section 702 is not unconstitutional, the Court held, even though—and in fact precisely because—it protects the right of religious associations to advance their beliefs. Moreover, this section serves "the permissible purpose of minimizing governmental interference with the decision-making process in religions, in that it relieves religious organizations of the burden of predicting which of their activities a secular court might consider religious." This decision was not the result of the Court's supposedly conservative majority: Justices Rehnquist and Scalia were joined by Justices Powell, Stevens, and White.

OTHER Court decisions have reinforced this view of liberalism. In *Pierce v. Society of Sisters* (1925), the Court held that the state of Oregon could not require parents to send all children between the ages of 8 and 16 to public schools. The Court made it clear that parents have the right to send their children to private and parochial schools. The state, the Court said, has no power to "standardize its children by forcing them to accept instruction from public teachers only."

Yet again, when several Old Order Amish parents in Wisconsin, a state that required school attendance until age 16, wanted to keep their children out of high school in order to protect the Amish way of life, the Court sided with the Amish. Even though the state had a legitimate interest in universal education, *Wisconsin v. Yoder* (1972) found that this interest was not absolute and did not prevail over parental rights. These Court decisions are all in accord with Galston's argument that the core of liberalism is not individual autonomy but respect for diversity.

Of course, Galston is fully aware that diversity has its

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limits. The state cannot be neutral with respect to all group claims. It has the right to protect the nation, to prevent action that materially harms innocent persons, to insist that the basic rights of democratic participation in politics not be infringed upon, and to insure that certain fundamental principles of justice are upheld. On the last point, Galston gives some examples: Private associations cannot be allowed to engage in human sacrifice or withhold medical attention from children in life-threatening situations. However, they are allowed to insist on male circumcision or religious conformity in hiring.

DRAWING the line between diversity the state should tolerate and diversity it should discourage is no easy matter, and Galston does not pretend that it is. He begins with the premise that since diversity ought to be protected, the burden of proof should lie with whomever wishes to restrict it. The result is a policy of "maximum feasible accommodation, limited only by the core requirements of individual security and civic unity." This is a very different defense of freedom from that of some Enlightenment thinkers who believed that free, rational discourse would lead to the truth. Free discourse in fact more often leads to further disagreement. Galston wants us to accommodate that inevitable conflict.

Such a generous level of accommodation implies that majority rule is not the only source of legitimacy in a liberal state. Galston provides several examples of the way our political system already reflects this principle: Juries must in most criminal cases decide by unanimous rule; judges are entitled to lifetime tenure to preserve their political independence; and Abraham Lincoln was justified in suspending the right to habeas corpus during the Civil War because doing so was essential to preserving the Constitution and the Union.

At this point, some readers may imagine they have stumbled by accident onto a summary of Robert Nozick's defense of a libertarian state as set forth in his *Anarchy, State, and Utopia*. But Galston is a not a libertarian; he is instead a cautious liberal. He relies heavily upon Isaiah Berlin's theory of moral pluralism: We live in a world in which fundamental values are numerous, conflicting, and incommensurable. There is no single set of criteria by which choices can be made or on the basis of which an outcome can be imposed. Therefore, Galston is unhappy with the tendency of some liberals to use state authority to impose their view of right conduct on people when their only justification is that such an action is democratically sup-

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ported or enhances individual choice.

On this point, he could have gone much further. Much of the contemporary effort to rationalize and "improve" human behavior neither supports individual autonomy nor can be defended as the will of the majority. Increasingly, liberal courts are imposing or facilitating wholly undemocratic decisions—decisions that also restrict individual autonomy. For example, in many states, trial lawyers and state attorney generals have convinced judges to force tobacco companies to raise the price of cigarettes in order to fund state programs that have nothing to do with the real or even alleged harms that smoking inflicts on people. These actions are justified on the grounds that the tobacco companies are "evil," even though their product is legally sold and the overwhelming majority of Americans know full well the health costs of smoking. Such a view of tobacco companies is akin to believing that some religious opinions are unacceptable.

GALSTON is similarly restrained in his discussion of other current political questions. He mentions the government's role in requiring motorcycle helmets and automobile air bags, banning certain drugs and criminalizing suicide, restricting gambling and preventing (except in Oregon) doctor-assisted suicide. But he does not explain this list other than to note that the items on it are controversial and that some are justifiable, although he does not say why. Moreover, after mounting a lengthy defense of parental rights with respect to education, he does not take up the case of vouchers as a means for enhancing those rights. Galston's most compelling examples of desirable diversity come from old court cases; as he approaches contemporary controversies, he pulls back. But it is precisely with respect to many present-day political issues that his philosophical position would be most useful.

Galston has made a fine start on an important project, but there is much left for him to tackle.

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Postmodern religion

ADAM WOLFSON

A PUZZLING aspect of religion in America today is that there is both less and more of it than 40 or 50 years ago. Gone is the recitation of the Lord's Prayer at the start of the school day. Gone are moments of silence in school and clergy-led prayers at graduation. Gone are many of the behavioral restraints imposed by a Christian culture—restraints on dancing, Sunday shopping, abortion, divorce, etc. And gone are the communal bonds that closely tied many individuals to their churches, synagogues, and parishes.

Yet these dramatic cultural shifts have not ushered in the secular age predicted by an earlier generation of sociologists and political scientists. Quite to the contrary. Belief in God and church attendance remain fantastically high in America. (Ninety percent of all Americans say they believe in God, and 64 percent consider religion very important.) Religious opinion continues to shape public debate on a range of issues from abortion to welfare reform to stem-cell research. Home schooling and abstinence education have taken a prominent place in public-policy discussions. Moreover, individual expressions of faith are on the upswing. When John F. Kennedy ran for president in 1960, he publicly distanced himself from his Catholicism. In contrast, in the 2000 election, George W. Bush, Albert Gore, and Joseph Lieberman all trumpeted their personal faiths. The Lord's Prayer may have been banished from public schools, but it was what Todd Beamer recited just before he led the heroic charge on the terrorists who commandeered Flight 93.

An insightful, compactly argued new book by Charles Taylor, *Varieties of Religion Today: William James Revisited*,† can help make sense of these apparently contradictory trends. A Canadian political philosopher, Taylor has written extensively

† Harvard University Press. 144 pp. $19.95.

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on religion, philosophy, the social sciences, and such contemporary political developments as multiculturalism. He is a religious believer himself (Catholic), and while his best known work, *Sources of the Self*, was widely acclaimed, it was also faulted by some liberal theorists for being "soft" on religion. Taylor is no conservative, however; in fact, he is usually assigned the party label "communitarian." But labels do not do justice to Taylor, and Isaiah Berlin may have been closest to the mark when he said of him: "He is, in short, a great fertilising force, a creative and original thinker."

TAYLOR describes his latest book, which is based on a series of lectures given in 2000, as an "idiosyncratic and selective" "exchange" with the great American psychologist and philosopher William James. The book is neither a comprehensive account of James's thought, which he notes is unfortunately neglected by most contemporary academic philosophers, nor a close reading of James's 1902 classic *The Varieties of Religious Experience*. Taylor has opted to sidestep the vast foliage and underbrush of *The Varieties*—James's ruminations on religion and neurology, on the psychology of such religious phenomena as saintliness, conversion, prayer, and mysticism, as well as his philosophy of pragmatism and his advocacy of a "science of religions." Instead, Taylor focuses on the political forest—what *The Varieties* can teach us about religion's place in modern Western democracies, especially the United States.

It is Taylor's contention that in fundamental respects our world "is a paradigmatically Jamesian one." What this means is that religion in the West has become a radically individualized affair, shorn of all shared theological beliefs and ecclesiastical and public bonds. James was the precursor. The institutional and ceremonial aspects of religion left James cold, as did formal theology. "Ideas about the gods," as James put it, or what might be done to win their favor, were, in his view, of secondary importance. The "primordial thing" was "personal religion pure and simple," by which James meant "*the feelings, acts, and experiences of individual men in their solitude, so far as they apprehend themselves to stand in relation to whatever they may consider divine.*" As Taylor comments, for James "the *real* locus of religion is in individual experience," where experience is understood to reside not in intellectual formulations but strictly in the sensibility and emotions.

By grounding religion in the passions, James did not intend to disparage its truth, for as Taylor points out, James was a

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defender of faith in an age of science. The scientist maintains that one must not believe in God until one has hard proof of His existence. But, as James brilliantly argued, the position of the scientist is as rooted in our "passional nature" as the desire to believe. "On one side," Taylor explains, "is the fear of believing something false if he [the scientist] follows his instincts here. But on the other there is the hope of opening out what are now inaccessible truths through the prior step of faith." So rationality does not lie on one side or the other: It is a contest between our fears and our hopes, and both the scientist and the religious believer take a gamble. If anything, the scientist takes the bigger gamble since he closes himself off from a possible source of truth.

In his formulation of religion separate from its everyday rituals, communal obligations, and theological articulations, James presciently foresaw what would in fact become of religion in the twentieth century. Once the habits of belief and practice have been disrupted, the individual is left with a stark, almost groundless choice between belief and unbelief. Thus Taylor says of James, he is "our great philosopher of the cusp," who "tells us more than anyone else about what it's like to stand in that open space and feel the winds pulling you now here, now there." As our contemporary poet Philip Larkin has put it: "And what remains when disbelief has gone?"

TO describe more exactly the place of religion today, Taylor sketches a typology of regimes, which he labels "enchanted" (loosely borrowing from Weber), "paleo-Durkheimian," "neo-Durkheimian," and "post-Durkheimian." This classification scheme is useful but perhaps overly complicated. So we might—with a fair degree of approximation—substitute the more familiar terms "premodern," "modern," and "postmodern."

In the beginning was the "enchanted world" of premodern times, in which, as Taylor explains, "the presence of God was unavoidable; authority itself was bound up with the divine, and various invocations of God were inseparable from public life." This was the world of the Middle Ages, of primitive societies, and indeed of most regimes prior to the advent of the Enlightenment. In its place arose various modern polities in which the presence of the sacred receded and its connection to the state became less visible. In Catholic countries the connection to the sacred was mediated by the Church, though outsiders were sometimes tolerated. In Protestant countries the sacred was mediated by many Christian churches and eventually non-

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Christian religions as well.

According to Taylor, the United States was from its outset the archetypal modern regime. Separation of church and state was the law of the land, but the state was still thought to reflect a transcendent moral order. America was a nation "under God," with a providential mission to spread the gospel of human rights and democracy all across the planet. Its citizens enjoyed many freedoms, but only within the moral limits of, as the Declaration of Independence put it, "the Laws of Nature and of Nature's God." These notions constituted America's civil religion, open to all willing believers.

The "modern" moment has, however, largely spent itself in the West. The dissolution of this order is, Taylor observes, the true cause of America's culture wars. Most conservative Christians long for the days when America was still thought to be a nation "under God," in which the pursuit of happiness was conducted within a certain moral universe. This makes the culture wars a struggle not between religion and secularism, as the Left would have it, but between two variants of liberalism, the liberalism of Locke and the Founding Fathers as against later evolutions of liberalism, whether represented by the philosophy of Kant, Mill, or now Richard Rorty.

In the wake of the culture wars arose the postmodern dispensation—of which James was the great prophet. Under this Jamesian order, Taylor explains, "there is no necessary embedding of our links to the sacred in any particular broader framework, whether 'church' or state." "*The spiritual as such is no longer intrinsically related to society*" (my italics).

The events that ushered in this new age are familiar enough, and there is little need to belabor them here. The rise of a heightened form of expressive individualism, the consumer and fashion revolutions, and the cult of authenticity—all these, Taylor argues, played their part. But if the earlier, modern dispensation has collapsed under the weight of these cultural and economic forces, the need of individuals to form connections to the sacred and to each other has not been lessened. How else to explain the 2002 Superbowl half-time show, in which a mass of young people rhythmically swayed to the music of the rock band U2, as a light show raised the names of September 11's dead in the shape of the twin towers? People cannot tolerate a completely naked public square, and so when formal connections to the sacred are disallowed, other more spontaneous modes come into being. Taylor himself writes

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movingly of the "host of urban monads" who "hover on the boundary between solipsism and communication":

> As we rise as one to cheer the crucial third-period goal, we have undoubtedly become a common agent; and we may try to prolong this when we leave the stadium by marching and chanting, or even wreaking various forms of mayhem together. The cheering crowd at a rock festival is similarly fused. There is a heightened excitement at these moments of fusion, reminiscent of Carnival or of some of the other great collective rituals of earlier days.... In any case, these moments seem to respond to some important felt need of today's "lonely crowd."

TAYLOR highlights another, more subtle change that occurred in the move from modernity to postmodernity—a fundamental alteration in our self-understanding. The postmodern world is every bit as tolerant as its predecessor, if not more so. In this sense too, James, with his generous and expansive sympathies, was a prophet. However, whereas an earlier generation of Americans believed that the ideals of toleration and mutual respect had to be taught, any such civic education is today viewed as a form of indoctrination and a constraint upon individuality. The need for such an education has been either forgotten or rejected outright, Taylor comments,

> *as though the morality of mutual respect were embedded in the* ideal of authentic self-fulfillment itself; which is how undoubtedly many young people experience it today, oblivious of how the terrible twentieth-century aberrations of Fascism and extreme nationalism have also drunk at the same expressivist source.

The implication is that the postmodern world, with its broader range of freedoms and wider tolerance for individual expressiveness, survives on the borrowed civic capital of its predecessor. For all of the openness of the Jamesian view (or perhaps because of its boundlessness), little prevents authenticity from slipping into unreasonableness, even tyranny. Timothy McVeigh, Dylan Klebold, Eric Harris, and John Walker Lindh were all, if nothing else, authentic originals.

Despite this devastating portraiture, and despite his communitarian leanings, Taylor does not lament the passing of the modern moment. Though he finds many shortcomings in the Jamesian understanding of religion (especially the lack of appreciation for its communal aspects), he attempts a qualified defense. Whatever the drawbacks of postmodernity—e.g., its intellectual shallowness and empty spirituality—the deficien-

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cies of the previous dispensation were worse: "hypocrisy, spiritual stultification, inner revolt against the Gospel, the confusion of faith and power, and even worse." In any case, Taylor cautions conservatives that return to the world of yesteryear is not possible.

THERE is considerable truth to Taylor's analysis, but more can be said of the trade-offs between the different dispensations. Their strengths and weaknesses, and some of the paradoxes of each, can be seen in the professions of faith of two American presidents. Dwight Eisenhower once famously remarked: "Our form of government has no sense unless it is founded in a deeply felt religious faith, and I don't care what it is." In retrospect, this was one of the last, dying gasps of the modern ideal. Eisenhower could still argue that we were a providential nation, where the link between the sacred and society was central. It was only a distant echo of the Declaration's invocation of Nature's God, but an echo nonetheless. Eisenhower also captured the broadly tolerant spirit of the modern dispensation. Whatever your particular faith, whether Protestant, Catholic, Jewish, Muslim, Hindu, or fill-in-the-blank, you can still be a full and equal citizen of the United States.

The two parts of Eisenhower's creed were intimately connected; indeed, the second depended upon the truth of the first. What made it possible for Eisenhower to be so inclusive was the assumption that all Americans, whatever their particular professions of faith, pretty much subscribed to the same civil religion. It did not matter what God you worshipped, because in pre-1960s America education still had civic and moral components. It was taken for granted that all Americans lived (more or less) by the same ideals—in short, that they subscribed to something called the American way of life. Spiritually speaking, there was little here to touch the soul, but the political virtues of this creed were obvious.

Now fast-forward to the 2000 election: When candidate George W. Bush was asked to name his favorite political philosophers, it was expected that he would respond by citing passage and verse from America's old civil religion. But instead of invoking John Locke, the Founding Fathers, or Abraham Lincoln, Bush said something that was surprising but perfectly appropriate for the postmodern age: "Christ, because he changed my heart." And when Bush was asked to explain what he meant for those who might not share his faith, his response

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was again surprising but also quite in tune with the times: "Well, if they don't know, it's going to be hard to explain." In an age of expressive individualism, in which a shared sense of the sacred has been banished from the public square, it would have been absurd for Bush to attempt to explain to his fellow "monads" what he felt in his heart. Any attempt at elaboration would have been viewed as a forbidden, intolerant attempt to preach.

Bush's remarks were universally deplored by liberals and greeted with enthusiasm by conservatives. But, ironically, his comments are far more at home in the postmodern ethos favored by these same liberals than they would be in the sort of polity preferred by many conservatives. Under postmodern conditions, the shared tongue of civil religion is no longer spoken. No one understands its vocabulary or speaks in its accents. Only local dialects remain. The upshot may well be a more authentic spirituality, and there is something to be said for that. Even by Eisenhower's time, America's civil religion had lost its vibrancy, and become mere talking points that few took seriously. In contrast, no one, not even his harshest critics, doubted that Bush had spoken sincerely. But something has been lost in the bargain, that older sense of *one* nation under God.

THE trade-off between the two dispensations has lately come into sharper relief for Americans. Already two aspects of the postmodern age are under pressure.

First, a central feature of the Jamesian ethos is the supposed irrelevance of theology and ecclesiastical organization. As Taylor argues, James's understanding made sense in the North American context, since this is what religion had come to mean for us. But September 11 reminds us that not all peoples share our Jamesian understanding of religion. For many, how to win the favor of the gods is of central importance, and they organize themselves accordingly to fulfill the divine commandments—whatever these may be.

Second, Taylor at one point comments critically that it was the older dispensation that "could send masses of men into the trenches to fight for their country in 1914, and keep them there, with few desertions and rare instances of mutiny, for over four years." This implies that Americans today might no longer be willing to fight so tenaciously for their country, since the sacred has been entirely sundered from the political. Alternatively, now that the nation is under assault, perhaps

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aspects of America's old civil religion will again find adherents; one already sees signs of revival. In this light, one should not overlook the hope expressed by even the "postmodern" James at the beginning of his treatise "that the peculiar philosophic temperament, as well as the peculiar political temperament, that goes with our English speech may more and more pervade and influence the world."

A SINGLE event like September 11 cannot erase the long history that Taylor persuasively argues led to the demise of the modern and the rise of its replacement. However, with its excesses and blind spots vividly exposed, the Jamesian view now seems somewhat dated and inadequate to the times. It stands in the way of a full understanding of our enemy's motivations, as it hobbles our own ability to respond effectively. Somehow or other we will have to find our way back to an older, merely "modern" understanding of religion and politics.

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The roots of inequality

ISABEL V. SAWHILL

DEBATES about the poor, it seems, will always be with us. The pendulum swings between the argument that poverty results from lack of opportunity and the view that it is the fault of the poor themselves. These disagreements are well illustrated in three recent books with three radically different interpretations of the same reality. I wish I could say that each of these books contains, in equal measure, a piece of the truth. But they vary not only in their diagnoses but also in the degree to which their evidence and arguments convince.

In *The Causes and Consequences of Increasing Inequality*,† edited by the economist Finis Welch, an impressive array of scholars sets out to dissect wage disparities in the United States. According to painstaking research by Claudia Goldin and Lawrence Katz, pay differentials narrowed from the late nineteenth century until the middle of the twentieth century, with most of the compression occurring during the two world wars. During the second half of the century, this trend stalled or reversed. From about 1970 until the middle of the 1990s, skilled workers—those with the most education—leaped ahead, while the wages of lower-skilled employees stagnated or declined. Although little discussed in this book, these wage disparities translated into growing income inequality—a trend that was exacerbated by simultaneous changes in family composition. The growth of single-parent families at the bottom of the income distribution and of two-earner couples at the top magnified the effect of increasing disparities in wages and individual earnings. In the mid 1990s, the tide turned again. A booming economy at the end of the decade helped to raise wages at the bottom and stopped the inequality train in its tracks.

This change, however, in no way reversed the damage done

† University of Chicago Press. 379 pp. $55.00.

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over the preceding 25 years. So, at the beginning of a new century, income gaps in the United States remain quite large, both by historical standards and compared to those in most other industrialized countries. Greater income inequality has been accompanied by even larger concentrations in wealth. According to James Smith, another of the book's authors, the principal cause in this case was not large inheritances or the proclivity of the rich to save a larger share of their incomes than others but rather the high rates of return they earned through their investments.

CAUSES and Consequences is an upbeat book. Its optimism stems, I think, from the faith held by most economists that market mechanisms will set wages at appropriate levels (reflecting the value of individual contributions) and will adjust with a lag to any shifts in demand or supply. Increasing wage inequality from the seventies to the nineties is thus widely attributed to the fact that the demand for skilled or educated workers grew faster than the supply. If supply responds to the resulting skill premium in wage rates (and there's some evidence that it has), then wage disparities will shrink again (as they have recently begun to do). Indeed, as another of the book's authors argues, any attempt to interfere with the market by setting minimum wages or providing generous welfare benefits could slow such adjustments. This would be not only to the detriment of the economy's overall productivity but even to the disadvantage of the poor, who might not otherwise find employment and who need these market signals to encourage them to acquire new skills.

Another reason for optimism is evidence that wage and education gaps between men and women and between blacks and whites have narrowed. We may have more wage inequality than in the past, but it is taking a new and arguably more meritocratic form. Differentials are based more on skill and less on gender or race. Finally, those who believe that conservative public policies have contributed to growing inequality in the United States must contend with the fact that growing inequality is not unique to this country; it is apparent in other industrialized countries as well, many of which have far more developed social-welfare systems.

Though it contains solid analysis of the facts and an upbeat assessment of their implications for the future, *The Causes and Consequences of Increasing Inequality* does not treat the

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underlying sources of wage inequality or the fairness of the arrangements that produce them. As long as children cannot choose their parents, their chances in life will not be equal. Should an inner-city youngster who grows up in a dysfunctional family and goes to a terrible school be forever penalized for a background over which he has little control? What perpetuates these arrangements? Is it not within society's power to remedy this state of affairs?

The one chapter (by Gary Solon) in the volume that addresses the topic of intergenerational mobility points to a substantial correlation between incomes in one generation and the next, suggesting that America may not be quite the land of opportunity celebrated in its history and ideology. As I have argued in other places, this evidence would seem to place a special premium on reforming public education and extending it down the age scale, so that children in poor families are exposed at an early age to more beneficial experiences. It also suggests the need to discourage early, out-of-wedlock childbearing, now the primary cause of the growth of single-parent families and childhood poverty. However, as the editor of the volume notes, over multiple generations, these income correlations weaken to the point of insignificance, especially if we incorporate marriages between men and women from different backgrounds. Even the poor can be optimistic about the economic prospects of their grandchildren. A more pessimistic view appears in an essay by another of the volume's authors, Charles Murray, who makes his now-famous argument that society is becoming increasingly stratified by cognitive ability and that, over time, this stratification will not only produce a meritocracy but will raise fundamental questions about what should be done for the less intellectually blessed.

A THOROUGHLY different view emerges from the collection of essays in *The New Poverty Studies*.† This volume, co-edited by Judith Goode and Jeff Maskovsky, grew out of two sessions sponsored by the American Anthropological Association—sessions "designed to repoliticize poverty studies in anthropology and other disciplines." Any doubts about the kind of politics favored by most of the authors, and by the editors in particular, are quickly erased. To quote from the introductory chapter: "The essays in this collection are united by their

† New York University Press. 320 pp. $22.50.

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treatment of poverty as a function of power, as an essential and utterly predictable effect of the ideological and political-economic processes of late capitalism." This kind of language, of which there is plenty, is intended to challenge not just conservative but also liberal orthodoxy. But too many of the essays repeat vague slogans about "economic polarization, political demobilization, and market triumphalism" or invoke the stale triad of "racism, sexism, and classism" as sufficient explanations for current disparities. Solid research and clear-headed reasoning are sorely lacking.

As with any collection of essays, it is not fair to tar all of the authors with the same brush. Buried within this set of ideological diatribes is some redeeming research. For example, Brett Williams gives us a grounded picture of how an inner-city family can be trapped by usurious credit mechanisms and overwhelmed by debt. Frances Fox Piven argues that welfare reform, by requiring work, has lowered wages and worsened working conditions for the least skilled, an outcome she implies was motivated by the unremitting desire of American businesses to lower labor costs. Though I find implausible her hypothesis that welfare reform was pushed by corporate elites seeking to improve the bottom line by exploiting low-wage labor, Piven is probably correct about its effects on the wages of the poor. Finally, the book has an informative essay by Carol Stack about teenagers in Oakland, California, who work for fast-food restaurants. Stack and her graduate students interviewed over 200 of these workers. They discovered that such jobs are not always easy to get, that they are primarily part-time, and that employers prefer immigrants to African Americans. Though the teens they studied learned a number of valuable skills, their work in the fast-food industry rarely led to any upward mobility. But, all in all, *The New Poverty Studies* is a great disappointment at a time when left-leaning criticism of the capitalist system might have found a receptive audience.

GLENN Loury's new book, *The Anatomy of Racial Inequality*,† examines the racial sources of poverty in America. Loury aims to develop a new vocabulary for talking about race. His goal is an ambitious one: to clarify how race perpetuates disparities in everything from poverty to test scores. Although

† Harvard University Press. 160 pp. $22.95.

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Loury acknowledges that blacks have made progress in closing the gap with whites in various areas, he is unhappy with what he perceives to be a too-ready acceptance by white America of lingering disparities.

Loury contends that the economic and social disadvantages of African Americans do not result from any lack of innate capacities. He argues that existing disparities are readily explained by another mechanism, which he calls "racial stigma." Though the distinctions are subtle, racial stigma is not quite the same thing as racist attitudes. Stigma has less to do with overt acts of discrimination or ill feeling than it does with our unconscious perceptions of African Americans, perceptions that have developed in our culture as the result of slavery and its aftermath. These racially based "social cognitions," as he calls them, are almost all unfavorable. They affect not only white behavior toward blacks but blacks' own actions and self-perceptions, leading them often to doubt their own abilities.

In this context, Loury makes a number of insightful observations. First, he delves into the phenomenon of racial stereotyping, the all-too-human tendency to ascribe group characteristics to individual members of a group. Such practices, while discriminatory, are also pragmatic in the absence of complete and costless information. But overt "discrimination in contract"—unequal rewards for equal effort—is only part of the story, Loury argues. What sustains current disparities is "discrimination in contact," racially motivated selection in such informal or private spheres of life as the choice of friends, neighbors, and intimates. It is not clear what government can do in this domain. Indeed, the irony is that in the process of trying to organize against injustice and protect themselves against the discomfort imposed by their outsider status, African Americans may have become even more socially isolated from other groups and in the process further damaged their prospects for upward mobility and acceptance within the wider society.

WHILE his arguments are not always totally convincing, Loury's diagnosis is thoughtful and insightful. He probes deeply and with an open mind into why one group in our society remains not just disadvantaged but socially isolated, and yes, widely stigmatized. *The Anatomy of Racial Inequality* has the advantage of being both highly intelligent and refreshingly short. It also eschews clever facts and social-science

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baggage in favor of closely reasoned argument that draws on the best thinking from a diversity of sources, including the author's own past writing. However, those who have not kept up with Loury's intellectual evolution will be surprised by this new volume. The book represents a remarkable about-face in the views of a prominent black scholar who was once heralded by the Right as a champion of more conservative views. Loury now seems ready to accept—if not embrace—affirmative action and other liberal remedies. Where the book disappoints is in failing to address adequately just this question. What should be done to reduce "racial stigma"? Having argued that "discrimination in contract" is no longer a major problem, Loury neglects to tell us what either white Americans or African Americans should do to reduce racial disparities and achieve what I believe are widely held aspirations for a more integrated society.

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Misunderstanding poverty

LAWRENCE M. MEAD

SINCE its founding in 1966, the Institute for Research on Poverty (IRP) at the University of Wisconsin at Madison has been the inner sanctum of academic research on poverty in America. Under its aegis gather most of the nation's leading scholars on the subject. Every few years, the IRP holds a conference on the state of poverty and poverty research, and then publishes the papers. *Understanding Poverty*† is the latest of these volumes. Its editors, Sheldon Danziger and Robert Haveman, are leading economists and former directors of the Institute.

As description, the book excels. The chapters track the shifting size of the poor population. They portray the changing social and economic conditions surrounding poverty: Need levels rose in the 1970s and 1980s because the number of female-headed families increased and wages for low-skilled jobs stagnated. But poverty fell in the 1990s due to a leveling off of unwed childbearing and superb economic conditions. Other chapters describe the social programs that affect poverty levels, including Social Security, welfare, and Medicaid. The authors are all recognized experts, and they write clearly. Like its predecessors, *Understanding Poverty* will surely be used widely in courses about poverty and social policy.

Nevertheless, like earlier IRP compendia, the book does not truly explain why poverty occurs or how to overcome it. How can need persist in the richest country on earth? America has reduced poverty among the elderly and disabled through higher pension payments. The real mystery is why deprivation persists among the working-aged and their families. Even in the year 2000, at the peak of the recent economic boom, 16 percent of American children lived in poverty.

The authors blame this on the many social barriers that

† Harvard University Press. 566 pp. $24.95.

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they believe confine the poor—low wages, lack of skills, poor schools, isolation in inner-city neighborhoods, and so on. They also indict inadequate child care and health care, weak worker-training programs, and the government's refusal to subsidize female-headed families to the extent seen in Europe, where poverty runs lower. But these factors describe poverty more than they explain it. Is the mere association of poverty with various disadvantages causal? Do any of these conditions really account for the passivity and dysfunction of the inner-city poor? Few people outside academia think so.

If working-aged poverty is lasting, the usual cause is not an adverse environment but a destructive life style. Commonly, families are poor because the parents have separated or do not work normal hours. In the 1970s and 1980s, one could still argue that jobs did not exist for the poor or were located in the suburbs, out of reach of inner-city residents. But experience and research have proven otherwise. In recent decades, the American economy has created jobs prodigiously. Unskilled immigrants flock here to take them. Yet in 2000, when unemployment was the lowest in 30 years, only 40 percent of poor adults worked at all. Working-aged poverty reflects less a lack of opportunity than a psychology of defeat, a puzzling loss of control over personal and collective life. But *Understanding Poverty* says very little about this culture of poverty.

The book is also unrealistic about policy. The authors write as if policy making were conducted by mandarins from on high. Little attention is paid to the messy process of statecraft—the need to justify programs to voters, and the difficulties of enacting and implementing them. To these authors, programs mean chiefly a set of benefits. Evaluations that show how existing programs might be improved have been conducted mainly by think tanks, not by academics or the IRP.

MEANWHILE, the federal government has reformed welfare by ending the entitlement to aid, limiting families to five years on the rolls, and stiffening work requirements. The 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) mandated these steps, although work tests began further back. The results have been revolutionary. Reform, coupled with a good economy and enhanced wage and child-support subsidies, has driven the welfare rolls down by over half since 1994, while sharply raising work levels among poor parents. Poverty has fallen (though less sharply), and pregnancy among the unwed has leveled off. Certainly, more

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could be done to raise the incomes of mothers who leave welfare for work. But even as it stands, welfare reform is the government's greatest success in the fight against working-aged poverty in 40 years.

The recent welfare reform addresses the behavioral aspects of poverty that academics downplay. It requires work and promotes marriage; while public benefits are still available, they are linked to work. Under this pressure, the social barriers that had been thought to bar employment magically eased. Reform was also a triumph for statecraft, delivering a message about self-reliance to the poor that they had not heard in recent years. Leading states like Oregon and Wisconsin have built work into welfare while maintaining support for families, which is just what the public always wanted.

In enacting welfare reform, the government defied virtually the entire academic world. Prominent experts predicted that PRWORA would cause great hardship. Welfare reform's success is thus a defeat for academe comparable to the failure of Soviet experts to predict the fall of communism. *Understanding Poverty* deals with welfare reform accurately, but it does not reckon with the challenge this triumph poses to the entire academic approach to poverty.

SOME of the book's authors do sense that their paradigm is exhausted. In a search for truer causes and cures, they go beyond data analysis to speak more directly of culture and institutions. We hear of the "identity" of the poor and of "socially deleterious behavior" that prevents people from escaping poverty. Mention is made of public opinion, of programs that succeeded because they were well run, even of an "administrative culture" that enforces work. But these are asides not pursued in any depth.

One reason for this neglect is politics. Most academic poverty experts regret the conservatism of our present social policy, even if they admit its success. They would have preferred to promote work among poor adults purely with work incentives and other new benefits, not rigid requirements linked to aid. They would have guaranteed female-headed families more income, and would not have tied the money to changes in behavior. Even to bring up the behavior of the poor strikes many academics as "blaming the victim."

Yet more than politics is involved. Most academics have a deeply rooted vision of themselves as moralists calling on society to discharge its responsibility to the poor. From this per-

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spective, work requirements deny society's obligation. Academics reject the more populist vision that animates welfare reform, the view that the recipients are not victims but citizens who ought to be held to the same standards as other people. Thus researchers cannot applaud the current reform, though it is a triumph for government, and government is something in which they ostensibly believe.

One might expect this moralism from academics whose tenured positions shield them from public disapproval. But much the same attitude is found among foundation officers, nonprofit groups, and many government planners and journalists. All these flock to conferences to discuss the latest evidence about how poor families and children are faring. The war on poverty is seen as an enlightened quest which all cultural leaders must join. Moral elitism is perhaps unavoidable in an affluent and educated society. Having done well, the privileged now seek to do good. But their very earnestness has obstructed an effective social policy.

The other commitment that blocks serious inquiry is methodological purism. Most leading poverty scholars are economists and sociologists. Their research consists largely of analyzing large data sets gathered by others. Operating from behind their computers, they can say little about the world that does not appear on their screens. They neglect cultural factors because studying these in any depth requires ethnographic methods that are less precise than econometrics. And they neglect institutions because studying them calls for messy field research and nonquantitative documentary studies. These subjects are not entirely ignored in academe, even at IRP, but they play no important role in this book.

MOST academic experts on poverty sincerely wish to unravel the mystery of persistent poverty. But they also adhere to an academic ethos that stresses moral earnestness over realism and technical expertise over hands-on research. Those commitments finally edge them away from dealing seriously with their subject. The untutored public and its leaders have done better on their own. Welfare reform is a triumph not for academia but for democracy.

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Blacks and labor—the untold story

KEN I. KERSCH

THE National Recovery Administration, or "NRA," a linchpin of Franklin Roosevelt's First Hundred Days, did not fare well in the African-American press. "Negro Removal Act," "Negroes Ruined Again," and "Negroes Robbed Again," were only a few of the epithets launched at what many blacks took to be a poisoned spoonful of alphabet soup. The NRA, a component of the National Industrial Recovery Act (NIRA), was a giant step toward a European-style welfare state: It created national minimum-wage and maximum-hours laws, it guaranteed collective-bargaining rights and industrial production codes, and it poured vast amounts of tax dollars into public-works projects. When, on "Black Monday," the Supreme Court struck down the NIRA as unconstitutional, no one cheered more heartily than American blacks. And when the NIRA's collective-bargaining provisions were later resurrected as part of the Wagner Act, African Americans were dismayed. The National Urban League, the NAACP, and other civil-rights organizations vehemently opposed it.

This history is recounted in *Only One Place of Redress: African Americans, Labor Regulations, and the Courts from Reconstruction to the New Deal*,† a recent book by David Bernstein that offers a short and sharp challenge to the prevailing narrative of the emergence of the contemporary American welfare state. Bernstein places labor laws at the center of that development and of the contemporary plight of black Americans. He makes a strong case that many of those ostensibly neutral laws, from Reconstruction through the New Deal—e.g., emigrant-agent laws, professional-licensing laws, prevailing and minimum-wage laws, and collective-bargaining laws—were either directly aimed at stymieing black economic and social advancement, or, if not so aimed, were quickly turned to

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that use. The NRA was a classic illustration of this dynamic: It cartelized a huge swath of the American labor market and handed over that cartel power to labor unions from which blacks, with few exceptions, were totally excluded. The American Federation of Labor was one of the most discriminatory, and as it and other exclusionary unions gained power, African Americans were put out of good work, and, in many cases, out of all work. The now longstanding gap between black and white unemployment rates dates precisely from this moment of government intervention on labor's behalf. In short, Bernstein argues that the victories of organized labor were the undoing of American blacks.

ONE Place of Redress chronicles a series of assaults on African Americans that, on the surface at least, lack the moral drama of the patently odious Black Codes and the exhaustively discussed Jim Crow laws of the 1890s. The 1868 ratification of the Fourteenth Amendment, which asserted that "no state shall ... deny to any person the equal protection of the laws," all but guaranteed that the attack would come in low, under the cover of legal neutrality. The author turns first to southern efforts to stem the exodus of blacks out of the region by the passage, at the end of Reconstruction, of a wave of emigrant-agent laws. These laws, whose constitutionality was upheld in a series of court challenges, assessed ever-escalating taxes and licensing fees on employment agents who came to recruit southern (black) workers. Next, the author traces the way in which professional-licensing laws for plumbers, barbers, and doctors, even if not drafted with an "evil eye," were quickly marshaled as weapons to drive blacks out of the respectable and better-paying professions and trades to which they had resourcefully gravitated in the half century following emancipation. Minimum-wage laws cut into blacks' ability to counterbalance racism by offering their labor for lower pay. No assault on black economic advancement, however, was so damaging as the relentless unionization of American railroads.

Working on the railroads was one of the chief tickets to middle-class status for black men and their families in the late nineteenth and early twentieth centuries. When Woodrow Wilson's progressive administration decided to reach a *modus vivendi* with the railway unions during the First World War, this door to a respectable, middle-class life began to swing shut. The subsequent passage of the Railway Labor Act of 1926 (an important precursor to New Deal collective-bargain-

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ing laws) helped to seal the fate of black railway workers. The Act succeeded where decades of racially exclusionary union constitutions, "race strikes," and physical intimidation had failed, as the unions used their new state-sanctioned power to negotiate racially discriminatory agreements with railroads. While some black railroad workers, most notably those associated with the Brotherhood of Sleeping Car Porters, were able to turn the Railway Labor Act to their advantage, the act's overall effect was to precipitate a steep decline in African-American railroad employment. The U.S. Census reported that between 1920 and 1940, the number of black firemen declined from 6,505 to 2,263. During the same years, the number of black brakemen, switchmen, flagmen, and yardmen fell from 8,275 to 2,739, and the number of black trainmen fell from 7,609 to 2,857. These numbers represented declines both in absolute and percentage terms.

And the pattern repeated itself in other respectable lines of work, most often with the assistance of the federal government. African Americans were cast out of skilled jobs in the building trades by a successful push to unionization. When they fought back by trying to undercut the union pay scale, Congress stepped in and passed the Davis-Bacon Act (1931). This act required all construction contractors with federal building contracts in excess of $2,000 to pay their workers the prevailing wage as determined by the Secretary of Labor (a rate closely tied to the union wage). This ostensibly neutral, but effectively anti-black, status quo was then locked in by the also ostensibly neutral stabilization agreements of the Second World War.

WHY, one inevitably asks, if Bernstein's account is accurate, did American blacks begin to move toward rather than away from the Democratic party, the party of organized labor, at precisely the time all this was happening? If blacks were so procapitalist, prolimited government, and anti-union, why didn't they stick with the Republicans?

Bernstein has an answer. One should not underestimate, he tells us, the degree to which African Americans took to heart the frank sympathy expressed for their plight by First Lady Eleanor Roosevelt. Empathy alone, of course, was hardly enough. Despite many slights (such as the exemption of agricultural and domestic labor forces, where large numbers of blacks worked, from the New Deal wage standards), blacks as a group benefited materially from FDR's Depression-era pub-

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lic-works programs. The combination of empathy and patronage politics set the pattern for the incorporation of blacks into the ranks of twentieth-century American liberalism.

The rise of affirmative action reveals just how deeply habits of patronage and empathy became institutionalized as part of the New Deal order. The Democrats began the policy and readily embraced its expansion. But a pivotal moment was reached when the Republican administration of Richard Nixon, despite having concluded that the best way to help blacks economically would be to repeal the Davis-Bacon Act, instead pushed for more affirmative action so as not to anger labor unions. Bernstein argues, in short, that modern American liberalism is a regime of empathy and patronage designed to compensate blacks for the losses they suffered from a succession of highly damaging labor laws.

As a study in political development, Bernstein's book is plausible and provocative. With all the scholarly attention lavished in recent years on the way in which ostensibly neutral laws mask a "disparate impact" on African Americans, one might expect these progressive labor laws to have been put under the microscope. But in an academic field where Beardian constitutional clashes between the forces of light and darkness are the dominant paradigm, such analyses are not likely. Who has thought to ask (as Bernstein does) whether the 1938 Fair Labor Standards Act, which set a national minimum wage, might have played a significant role in the development of a black underclass, or that the great progressive labor movement triumph might have helped to deny American blacks the fruits of the American dream?

To say that academics have downplayed the baleful consequences of key elements of progressive and New Deal reform on black Americans is an understatement. In our grand narratives of constitutional development and the emergence of the American welfare state, central casting has arrayed the oppressed (blacks and labor) acting in solidarity against the (capitalist) oppressor. American blacks' resentment of the heroes of Steinbeck novels and Woody Guthrie songs and their alliance with employers are acknowledged in footnotes and discussed only in specialized historical studies. For as Plato declared in his *Republic*, it is one of the chief tasks of the ruling Guardians to "take good care that battles between gods and giants and all other various tales of gods and heroes coming to blows with their relatives and friends don't occur in the stories the

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people hear and the pictures they see."

In our professorially crafted public narratives, these battles, if noted, are taken as fleeting episodes of "false consciousness." Perhaps they did not appreciate it at the time, but soon enough American blacks came to realize that the best hope for their advancement lay in standing side-by-side with the labor movement and giving full support to the interventionist welfare state. And though initial progressive reforms may have had negative effects on blacks, these were only a first step. Progressives then went on to lead the fight to outlaw discrimination in employment and in labor unions. But Bernstein will have none of it: By the time these victories came about, he argues, it was too late. Blacks became full participants in the labor movement just as broad economic trends had radically diminished the influence and importance of those unions, and of heavily unionized industries.

Once one is willing to acknowledge the possibility of this clash between gods, a series of long-darkened markers in African-American and constitutional history are newly illuminated. Suddenly, one can put the socialism of emergent black leaders like A. Philip Randolph and W. E. B. DuBois in perspective. One can now hear, rather than reflexively dismiss, the strongly procapitalist claims of common black people of the time. One can speak openly of the intense black opposition to the celebrated 1894 Pullman strike led by socialist Eugene V. Debs. One can write about both African-American support for the Supreme Court's run of "conservative" opinions in the late nineteenth and early twentieth centuries striking down statutory bans on "yellow dog" contracts (by which, as a condition of their hire, workers agreed not to join labor unions), and of black support for the aggressive wielding of federal court injunctive power against union-led strikes. And one can appreciate the horrified reaction of blacks toward the alliance between state and labor at the time of the New Deal.

IN recent years, many scholars, black and white alike, have come to question the efficacy of the empathy and patronage model for advancing the welfare of African Americans. Bernstein's uniquely unsentimental account of African-American and labor history is indispensable to serious reflection on these issues, and clears the way for a reconsideration of whether blacks might be better served by the principles of limited government, property rights, and liberty of contract.

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Broken windows reconsidered

ELI LEHRER

THE 1990s marked the greatest period of crime reduction in American history: Crime rates declined in 47 out of 50 states and in about 190 of the biggest 220 cities. In the popular press much credit for this turn of events has gone to a policing strategy known as "broken windows." Broken windows is a new name for the old idea that police must fight not only overt criminal acts such as murder, robbery, and rape but also disorderly actions such as drinking, graffiti scrawling, and aggressive panhandling. Advocates of the broken-windows approach argue that high levels of disorder create an environment in which criminals, noticing that authorities fail to respond to smaller crimes, assume that more serious crimes will go unpunished as well.

Two recent books, Ralph B. Taylor's *Breaking Away from Broken Windows: Baltimore Neighborhoods and the Nationwide Fight Against Crime, Grime, Fear and Decline*† and Bernard E. Harcourt's *Illusion of Order: The False Promise of Broken Windows Policing,*†† contend that enthusiasm for the broken-windows strategy has gone too far. On the basis of extensive field research, Taylor finds only partial support for the broken-windows theory. Harcourt, writing from a more ideological perspective, paints the broken-windows approach as a repressive plot to "punish and exclude" those who violate supposedly arbitrary social norms.

Taylor, a professor at Temple University, presents a rigorous, quantitative look at what he calls the "incivilities thesis" of neighborhood decline. The thesis he examines takes the common version of the broken-windows theory a step further, proposing that obvious signs of neighborhood deterioration like litter, graffiti, and vacant housing will cause more crime

† Westview Press. 330 pp. $45.00.
†† Harvard University Press. 288 pp. $35.00.

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and accelerate the decline of neighborhoods by decreasing property values, resident incomes, and residential stability. While some academic work on broken windows supports this thesis, police departments have generally implemented broken-windows patrol strategies on the basis of more modest goals of crime prevention.

Relying on block-by-block field studies conducted in Baltimore in 1980 and 1994 and analysis of data collected elsewhere, Taylor finds that high levels of incivilities do indeed accelerate neighborhood decline, but no more so than other factors such as high poverty rates and high initial crime rates. Thus he argues that cities ought to "break away from broken windows per se and widen the models upon which they rely, both to predict and to preserve safe and stable neighborhoods with assured and committed residents."

THIS is a fair conclusion, but not a very bold one, at least when it comes to police practice. Though some popular accounts (most prominently Malcolm Gladwell's *The Tipping Point*) have painted the broken-windows strategy as the principal reason for the decline in New York City's crime rates, fighting disorder has in fact played only a modest role in the vast improvements in American policing. In the course of researching a book on America's police departments in the 1990s, I visited over 35 agencies in cities large and small. Only one, a sleepy California suburb, saw the containment of disorder as the center of its policing strategy.

When it comes to the indicators Taylor focuses on—for example, owner occupancy of housing and home values—it is no surprise that containing disorder does not always have a significant effect. As James Q. Wilson, one of the originators of the broken-windows theory, once said, broken-windows policing is only "one part of a broader effort." Taylor himself concludes that police strategies aimed at strengthening neighborhood organizations and community-based governance might do more to promote change than simply cracking down on disorder.

While Taylor begins his book with visits to police departments in two cities that have implemented broken-windows strategies, and periodically revisits questions of police strategy, he writes mainly about neighborhood life. In Baltimore, Taylor makes a solid case for using broken windows as only one component of a broad social and economic effort to heal wounded neighborhoods and stabilize those in decline.

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It is not clear, however, that Taylor's thesis applies across the country. His selection of Baltimore to support an argument about the economic fates of neighborhoods may prove flawed. During the 1990s, Baltimore lost almost 85,000 people, the largest total population loss of any American city and the largest percentage decline in any of the nation's 25 largest cities. Nearly every social indicator in Baltimore moved in the wrong direction, even as cities ranging from Chicago to Providence, Rhode Island, were reversing decades of decline in population and vitality. In fairness to Taylor, his data from other cities largely confirms his Baltimore findings and, in any case, the relative severity of Baltimore's decline did not become apparent until last year, when the Census Bureau released its year 2000 population survey. But if the Baltimore case demonstrates the limits of the broken-windows approach, it may miss the potential of this strategy for less depressed cities.

WHILE the shortcomings of Taylor's book seem almost unavoidable, given his focus on Baltimore, Harcourt's effort to discredit broken-windows theory is hampered by simple ignorance of modern policing. According to Harcourt, who teaches law at the University of Arizona, "loitering, panhandling, public urination" were "tolerated" during the 1950s because "progressives" didn't find them socially harmful. Yet prior to the Supreme Court's 1960 *Thompson v. Louisville* decision, courts routinely convicted suspicious-looking people without any proof of wrongdoing. It is absurd to contend that today's police are tougher on disorder than those of the past.

Harcourt contends that broken-windows theory is an attempt to convince the public that vagrancy and littering are socially harmful, rather than merely annoying, and that the "undesirables" who commit such acts must be punished. To make his case, he invokes the works of French philosopher Michel Foucault, who famously argued that truth, justice, and liberalism are oppressive illusions designed to uphold a power structure that suppresses man's primal nature. It is the act of punishing or rehabilitating criminals that in effect makes them into criminals, and thus punishment rather than crime causes social problems.

Harcourt's Foucault-centric argument overlooks the history of police practice. Harcourt leaves out, for instance, Robert Peel's 1829 directive that the London City Police (the first modern police force) make preventing "crime and disorder"

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their first priority. Likewise, August Vollmer, a Progressive-Era police reformer who wrote on such issues as taking care of abandoned buildings and caring for drunks, is also not mentioned.

Harcourt's effort to demolish the evidentiary basis of broken-windows policing proves just as flawed. He cites studies that have found that disorder correlates significantly with robbery rates, but not with other types of crime. Scholars agree that more research needs to be done, but this modest consensus doesn't concern Harcourt. Instead, he devotes about 20 pages of *Illusion of Order* to unpublished data sets of broken-windows supporter Wesley Skogen that fail to show correlation between disorder and crimes other than robbery. It would have been useful for Harcourt to make inquiries about the data, which were never published because of flaws in design and method that rendered them useless.

While boning up on Foucault, Harcourt neglected to review the literature on actual police practices. Describing New York's improved crime analysis, for example, he cites a conversation with David Kennedy, a respected scholar to be sure, but one whose work is primarily on Boston. What's more, Harcourt's book does not address the works of Herman Goldstein, Robert C. Trojanowicz, or any of the other authors instantly familiar to just about every patrol officer in the nation. Similarly, he ignores Eli Silverman's important study of the reforms implemented by the New York City police department in the early 1990s.

Harcourt also severely distorts the views of scholars like Wilson, Skogan, and Kelling, painting their support for police practices based on community partnerships and officer discretion as a case of iron-willed rule enforcement. He cites former New York City Police Commissioner William Bratton's memoirs and a variety of other reports to prove that Bratton made arrest procedures more onerous for offenders when ordering a disorder crackdown. In fact, reforms under Bratton made most quality-of-life arrests less onerous for police officer and offender alike. The number of police officers in New York actually fell slightly in the period that arrests surged. If arrest procedures had become more onerous, the large increases in arrests per officer—a trend Harcourt decries because it resulted in an increase in total complaints—would have been impossible.

At rare moments, even Harcourt appears to realize that broken windows offers something of value. In a chapter de-

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voted to alternatives to broken windows, he examines New York's successful effort to keep graffiti out of the subways by not allowing marked up cars out of the barns. His source for information about this strategy is George Kelling and Catherine Coles' *Fixing Broken Windows*, which presents the subway-car program as one of broken window's first tests in the real world.

BROKEN windows is neither the evil plot Harcourt describes nor, as Taylor shows, a panacea for urban ills. One can best understand broken windows as a return to policing's roots as a helping profession. When the police respond only to those incursions on life, safety, and property that grossly offend society's principles, they abdicate any responsibility for helping people to uphold those principles in the first place. Citizens, particularly those without the resources to escape urban disorder, deserve better. For now at least, broken-windows policing is one of the best tools we have.

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